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POLITICAL SCIENCE QUARTERLY.

SCIENTIFIC ANARCHISM.

IN ANARCHISM we have the extreme antithesis of socialism and communism. The socialist desires so to extend the sphere of the state that it shall embrace all the more important concerns of life. The communist, at least of the older school, would make the sway of authority and the routine which follows therefrom universal. The anarchist, on the other hand, would banish all forms of authority and have only a system of the most perfect liberty. The anarchist is an extreme individualist. Using the words of the famous revolutionary formula, he would secure *equality* through *liberty*, while the socialist would secure it through *fraternity*. The anarchist holds that the revolt against authority, which began in the field of religion with the Protestant reformation, and which was extended into the realm of politics by the revolutionary movement of the last century, will end, when carried to its logical and necessary issue, in the abolition of all government, divine and human. He subscribes to the doctrine contained in the opening sentences of the Declaration of Independence. He also claims that men who, like Jefferson [1] and Herbert Spencer, express great jealousy of state control, would, if they were logical and true to their principles, become anarchists and advocate the complete emancipation of society.

[1] "The Declaration of Independence contains numerous internal evidences to show that, were Thomas Jefferson living to-day, he would be a pronounced anarchist." *Liberty* (the organ of the Boston anarchists), vol. ii, no. 5. "The anarchists are simply unterrified Jeffersonian Democrats." Article by Benj. R. Tucker, in *Liberty*, vol. v, no. 16.

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I. *Proudhon.*

Anarchism, as a social theory, was first elaborately formulated by Proudhon. In the first part of his work, *What is Property?*[1] he briefly stated the doctrine and gave it the name *anarchy*, absence of a master or sovereign. In that connection he said:

> In a given society the authority of man over man is inversely proportional to the stage of intellectual development which that society has reached. . . . Property and royalty have been crumbling to pieces ever since the world began. As man seeks justice in equality, so society seeks order in anarchy.

About twelve years before Proudhon published his views, Josiah Warren[2] reached similar conclusions in America. But as the Frenchman possessed the originality necessary to the construction of a social philosophy, we must regard him as altogether the chief authority upon scientific anarchism.[3]

Proudhon, in his destructive criticism of existing institutions, made constant use of the logical formula of Hegel: thesis, antithesis, and synthesis. Negation he called his first principle, as that of God is in religion and thought in the system of Descartes.[4] He denied the truth of every dogma and showed the contradiction or "antinomy"[5] existing in every human institution.

[1] See Tucker's translation, pp. 271–288.

[2] For an account of this man, see Ely's Labor Movement in America, p. 238. Also Warren's books: True Civilization an Immediate Necessity, and Practical Details of Equitable Commerce. His views are best stated in Stephen Pearl Andrews' True Constitution of Government, New York, 1852.

[3] So far as I know, all scientific writers who have discussed Proudhon have placed him among the socialists. But at the same time they have either expressly or tacitly protested against the classification. It has always been admitted that he stands apart from the other revolutionary leaders. In the light of the development of anarchism during the last ten years, his position seems to be clearly defined. Amid all the inconsistencies and contradictions which may be found in his works, his central thought is clear. His contemporaries did not understand him because they had not conceived of anarchism.

[4] Œuvres complètes, tome 6, p. 144.

[5] In his Système des Contradictions économiques, tome 1, p. 67, Proudhon explains antinomy to mean a law with a double face or with two tendencies, like the centripetal and centrifugal forces into which attraction may be analyzed. These opposite tendencies do not destroy one another, but if kept in equilibrium "are the procreative cause of motion, life, and progress."

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Like all *a priori* reasoners, however, he was forced to start with a dogma, and this was that justice and certain rights — emphatically those of liberty and equality — are natural, exist prior to law, and furnish the criteria for judging all legal and social systems. He defined justice to be "the recognition of the equality between another's personality and our own."[1] This, it will be seen, is the golden rule put into philosophical language. Proudhon, in fact, declares at the outset[2] that he accepts that declaration of Christ as the correct rule of conduct; but he aims to make it more precise and positive by expounding the idea of justice which it contains. Every one should claim from others the full recognition of the manhood in him, stripped of all its accessories, and should yield the same recognition in return. If with this were combined the humanitarian spirit, which Proudhon called *équité*, or social proportionality, a perfect form of society would be the result.[3] Equality and liberty would be harmonized, and both would be developed to the highest possible degree. Society, justice, and equality would then be three equivalent terms. All unequal, and therefore unnatural, conditions would disappear. Force would no longer be resorted to. Everything would be regulated by reason and persuasion. Thought, knowledge, virtue would hold undisputed sway.

Furnished with this ideal conception of society, which he had deductively attained, Proudhon attacked and in his own opinion demolished every institution which he found in society about him. In his *Système des contradictions économiques* he went through the entire series of economic phenomena, — value, division of labor, the use of machines, competition, credit, property, international trade, taxation, population, — showing first their beneficent effects and how they meet the needs of a progressive society, and then by way of antithesis their evil effects, their fatal tendency toward the development of inequality. Like the socialists, he borrows from Adam Smith the doctrine that labor is the true measure of value. The utilities which it

[1] What is Property? trans. p. 231. Proudhon repeated this definition and expounded it at length in a six-volume work entitled La Justice dans la Révolution.

[2] What is Property? trans. p. 26.

[3] What is Property? trans. p. 242.

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produces should always exchange in proportion to their cost. In other words, cost should be the limit of price. But value in exchange, arising from demand, is "antinomical" to value in use, which arises from labor and utility. The two tend in different directions and become divorced. We have therefore this result: that the more utilities are multiplied, the less becomes their value. In the natural or perfect society, where exchange-value and utility are held in proper equilibrium, this would not be true, but the value of any product would be the formula, or monetary statement, which would express the proportion which the product bore to the sum of social wealth.[1] Then the producer of a utility would receive its full value in exchange. The laborer would reap the full benefit of improvements in the methods of production, or, as Proudhon expressed it, "all labor would leave a surplus."

The way in which Proudhon deals with other and less obscure economic phenomena will be readily seen. For example: he declares that the division of labor is a prime condition of social progress. Without it, labor would be sterile, and neither wealth nor equality could exist. But the principle, when followed out to its natural consequences, becomes a most prolific source of misery. The realization of justice in the economic sphere, which is "to give equal wealth to each on condition of equal labor,"[2] is prevented. Hours of labor are increased; the conditions under which the work is done grow worse; and the laborer suffers mentally, morally and physically. He tends downward to the condition of a serf, while his master, the owner of the factory, becomes a moneyed aristocrat. The gulf between the two grows ever wider, and association, education or other schemes of improvement popular with economists cannot bridge it. It would seem that the introduction of machines might check the growing inequality, because through them the forces of nature are made servants of man. They both increase and cheapen production. They diminish the amount of human labor necessary to accomplish a given result. The world can-

[1] Système des Contradictions économiques, tome 1, p. 82.
[2] What is Property? trans. p. 234.

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not do without them. But they are gradually eliminating the laborer, reducing his wages, making useless the trade which he had learned and upon which he depended, causing over-production, deterioration of products, disease and death.

Proudhon summed up his views on competition in these words: "Competition destroys competition."[1] By this he meant that, though indestructible in its principle, competition in its present form should be abolished. In fact, he believed that it was slowly preparing the conditions necessary to its own destruction. Monopoly and credit he treated in essentially the same way, and so the remaining economic categories, till in the problem of population as stated by Malthus he found the culmination of human misery. The conclusion which he reached was that we are living in a condition of anarchy; meaning by that not absence of government, but the other signification of the word, *viz.:* disorder, confusion.

We need not follow Proudhon further in the application of his logical method to social facts. He claimed that by his brilliant dialectics he had reduced them all to absurdities, fraught however with infinite harm. For the present purpose it is more important to note what he considered to be the source of the antinomy, the cause of inequality and hence of misery and decay. Like the socialists, he found this root of bitterness not in man himself, not in the individual, but in society. Something was wrong in the form of social organization; some evil institution had been allowed to develop which by its influence had thrown the whole system into disorder. If this could be swept away, order would be restored, the diseased organism would become healthy and perfect. The Satan in the social philosophy of Proudhon was property: not property right limited by social expediency and high moral considerations, but the *jus utendi et abutendi* of the Roman law, the absolutely unlimited right of private property. But he did not stop there. Property, said he, is not a natural right, but is guaranteed and upheld by the state. Property and the state are correlative terms. The two institutions are reciprocally dependent and must co-exist.

[1] Système des Contradictions économiques, tome 1, pp. 179 *et seq.*

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The chief function of the state is that of police, the object of which is to secure to individuals the enjoyment of their possessions and of the privileges connected therewith. In the thought of Proudhon, the essence of property was not the thing possessed nor the act of possession, but the privileges, the power, the possibility of gain, of obtaining rent, profit or interest which accompanied it. To him private property in the exclusive Roman sense was the very embodiment of inequality, and so the efficient cause of all social evils. He sought to sum up in the paradox, "*property is robbery*," the problem of human woe. The laborer, the result of whose work is embodied in material form, is the only producer. The proprietor, whether he be landlord or capitalist, is an unproductive laborer. He is a parasite because he does nothing but consume. He receives without rendering an equivalent. But since he owns the means of production, he can appropriate a share of the laborer's products. Because of the inequality thus developed, the tribute exacted constantly increases. The laborer falls in debt and becomes more and more dependent on his employer.[1] The tenant pays for his land or house many times over, but never becomes its owner. The commodities produced by the workman make his employer rich. The interest paid by the borrower exceeds the capital, but the debt is never paid. The proprietor virtually exercises the rights which of old belonged to a seignior over his vassal or to a master over his slave. The state, which is organized force, legalizes rent, profit, interest, and protects property owners while they plunder the rest of society. Hence arises the poverty to which the masses of men are condemned, and poverty is the mother of every form of crime. Society thus appears amid terrible agony to be ever consuming itself.

These thoughts and more of a similar nature Proudhon poured forth in volume after volume during the years immediately before and after the revolution of 1848. He lived amid the ideas, the enthusiasm for liberty and equality, from which that movement sprang. So vividly did he see and feel the

[1] See the monograph entitled Banque d'Échange, in Œuvres complètes, tome 6, pp. 150 *et seq.*

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tragedy of human existence that he regarded revolution as the only conserving force. He considered it inevitable, imminent: no force could check its progress. It rested with society only to determine whether it should be gradual and peaceful, or violent.[1] He taught the theory of revolution as a permanent factor in social life. Reaction, he said, could only quicken the onward movement. The revolution must continue till right was done, till justice was established.

According to Proudhon the great uprising of 1789 was not a revolution, but only an important step of progress.[2] It was an attempt to establish justice; but it failed, because it only substituted one form of government for another. Had it abolished government and instituted the rule of reason, it would have been a genuine revolution. As it was, however, the work of revolution was only half done. Parliamentary government, democracy, the rule of the *bourgeoisie* took the place of the old absolutism. The reign of force was not brought to an end, but rather entered upon a new phase. Militarism continued, though under a slightly different form. Now the contest is waged for the control of the markets of the world rather than for political supremacy. England has led the way in this struggle by the development of manufacturing and the overthrow of her protective system.[3] But monopoly supported by force is as triumphant as ever. The corrupting influence of wealth is seen in all departments of political life. Hence the work of August 4 must be taken up where the Constituent Assembly left it and carried on to completion.

To Proudhon, the revolution of 1848 was the proclamation of a new era. It meant the substitution of an economic and social régime for one of a governmental, feudal and military character.[4] By this he meant not a system in which any

[1] Système générale de la Révolution, p. 9. [2] What is Property? trans. p. 32.

[3] See chapter on Balance of Trade, in Système des Contradictions économiques, tome 2.

[4] Idée générale de la Révolution, pp. 177 *et seq.* This idea was also enforced by Proudhon in his speech delivered before the National Assembly, July 31, 1848, in reply to criticisms of the committee of finance on his report in favor of gratuity of credit. Œuvres complètes, tome 7, pp. 263–313.

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economic class should become dominant, its rule being based upon political power, but, as he expressed it, an organization of economic forces based upon contract and operating according to the principle of reciprocity. This means the entire abolition of the state and the transfer of the control of social interests to individuals, acting either singly or in voluntary association. Such is the programme of the anarchists. It will be interesting to examine a little more closely the course of thought which led Proudhon to adopt it.

Like all social reformers, he was led to the study and criticism of society by the sight of human misery. In the early pages of *What is Property?*[1] he says that perhaps he would have accepted property as a fact without inquiring into its origin, had all his fellow citizens been in comfortable circumstances. As they were not, he would challenge this chief of social institutions and put it upon its defence. The result of his examination has already been stated. But property and the state he found to be inextricably bound up together. The state, property, inequality, misery, became to him synonymous terms. It made no difference what the form of the government might be; its essential nature remained always the same. History shows that nations are revolving in a fatal circle of imperial despotism, constitutionalism, democracy, and from this by political means they can never escape.[2]

> Experience finally proves [he says] that everywhere and always government, however popular it may be in its origin, has taken sides with the richer and more intelligent class against the poorer and more numerous; that, after having for a time shown itself liberal, it has little by little become exclusive and partial; finally, that, instead of maintaining liberty and equality among all, it has, because of its natural inclination toward privilege, labored obstinately to destroy them.

[1] Translation, p. 53. In La Justice dans la Révolution, tome, 4, p. 291, Proudhon spoke in most pathetic terms of the feeling of inferiority which oppressed him because of his inherited poverty. He felt powerless to raise himself to a position among the learned and happy. He therefore resolved to search for the origin of inequality. He found that the economists affirmed the natural origin and necessity of inequality, while the revolution said that equality was the law of all nature.

[2] For Proudhon's political philosophy see Idée générale de la Révolution, pp. 111 *et seq.* Also Du Principe Fédératif, Œuvres complètes, tome 8.

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According to Proudhon, contract is the only bond which can unite individuals into a society. But Rousseau's theory of contract he rejects, and in the most admirable manner reduces to an absurdity. He says that the idea of contract excludes that of government. It imposes upon the contracting parties no obligation but that which results from their personal promise; it is not subject to any external authority; it alone constitutes the common law of the parties; it awaits execution only from their initiative.[1] It should embrace all citizens, with their interests and relations. If one man or one interest is left out, it is no longer social. The welfare and liberty of each citizen should be increased by the contracts; otherwise it is a fraud, and should be overthrown. It should be freely debated, individually assented to, and signed, *nomine proprio*, by all those who participate in it. Otherwise it is systematic spoliation. "All laws which I have not accepted I reject as an imposition on my free will."[2] The true social contract has nothing in common with the surrender of liberty or submission to a burdensome solidarity. The premise from which Rousseau starts, *viz.* that the people is a collective entity having a moral personality distinct from that of the individual, is false. The conclusions drawn from it, *viz.* the alienation of liberty for the sake of all, a government external to society, division of powers, *etc.*, are equally false. Rousseau has in his theory misrepresented social facts and neglected the true and essential elements of contract itself. His theory is like a commercial agreement with the names of the parties suppressed, the values of the products and services, the conditions of quality, delivery, price, *etc.*, in short all essential things omitted, and with only the penalties and jurisdictions given. In other words, the theory is absurd.[3]

[1] Idée générale de la Révolution, p. 117.

[2] Idée générale de la Révolution, p. 138. In Du Principe Fédératif, p. 53 n., Proudhon defines a law to be "a statute arrived at as the result of arbitration between human wills."

[3] In connection with the history of political theories it is interesting to note what the anarchists have to say about the doctrine upon which the American Revolution was fought, and its conformity with actual political facts. Lysander Spooner, in his Letter to Grover Cleveland, says: "It was once said in this country that taxation without consent is robbery. But if that principle were a true one in behalf of three

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Equally without reason in their practical operations are the constitutional systems of government, whether monarchical or republican, which are based upon this theory. The election is the pivot about which they revolve. Its fundamental idea is decision by number or lot. In what respect is this principle better or more just than generation, the basis of the family; than force, the basis of the patriarchate; than faith, the central dogma of the church; than primogeniture, upon which aristocracy rests? Elections, votes never decided anything. Inferior matters of little importance may be decided by arbitration; but important things, the organization of society, my subsistence, I will never submit to an indirect solution. I emphatically deny that the people in elections are able to recognize and distinguish between the merits of rival candidates. But when presidents and representatives are once chosen, they are my masters. What do numbers prove? What are they worth? You refer my interests, subsistence, *etc.*, to a Congress. What connection is there between the Congress and me? What guarantee have I that the law which the Congress makes and hands to me on the point of the bayonet will promote my interest?[1] Furthermore, how can I, in such a situation, maintain my dignity as a sovereign and party to the social contract? The democratic theory is thus an attempt to harmonize two

millions of men, it is an equally true one in behalf of three men, or of one man. Who are ever taxed without their consent? Individuals only. Who then are robbed, if taxed without their consent? Individuals only. If taxation without consent is robbery, the United States government has never had, has not now, and is never likely to have an honest dollar in its treasury." As soon as taxes are paid, he says further, all natural rights are lost. The individual cannot maintain them against the police and armies which the government will procure with the money.

[1] For another brilliant specimen of the destructive criticism which the anarchist applies to representative government see Prince Krapotkine's chapter on that subject in his Paroles d'un Révolté, Paris, 1885. One could not wish to see the *demos krateo* principle more completely demolished than it is here. The superficiality and crudity of the notion that great public questions can be properly decided by elections; the petty self-seeking of politicians and party managers, to say nothing of their positive corruption; the disturbing influence of parliamentary tactics; the enormous disparity between the knowledge and strength of the legislator and the number and magnitude of the public questions with which he has to deal, are admirably stated and illustrated. The files of any daily newspaper will substantiate it all.

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wholly inconsistent principles, those of authority and of contract. The origin of authority is in the family. The necessity for the maintenance of order, for the establishment of an artificial, and therefore of an impossible, harmony between individual and common interests, is the only argument in its favor. This means that government is based upon force, is in its nature and operation wholly arbitrary. The belief that the people, either collectively or individually, consent to its acts, or that the will of the people can be ascertained, directly by the *plébiscite* or indirectly through so-called public opinion, is a superstition. It is one of the fictions with which the law and politics abound. But, Proudhon would say, if it were really possible that the majority should rule and carry its desires into effect, its government would be as tyrannical as that of a single despot, for it would impose upon the citizen the will of another, it would violate the true principle of contract.

Returning then to the point whence we started, it appears that Proudhon's social ideal was that of perfect individual liberty. Those who have thought him a communist or socialist have wholly mistaken his meaning. To be sure there is an expression here and there in his works which savors of communism,[1] but when more closely examined it will be found to be in harmony with the general trend of his thought. No better argument against communism can be found than is contained in the chapter on that subject in the *Système des Contradictions économiques.* In *What is Property?* he speaks of communism as follows:

> The disadvantages of communism are so obvious that the critics never have needed to employ much eloquence to thoroughly disgust

[1] See, for example, What is Property? trans. p. 244, where he says that "inequality of wages cannot be admitted by law on the ground of inequality of talents." But on p. 132 of the same treatise he explains his meaning as follows: "Give me a society in which every kind of talent bears a proper numerical relation to the needs of the society, and which demands from each producer only that which his special function requires him to produce, and, without impairing in the least the hierarchy of functions, I will deduce the equality of fortunes." This means that utilities must be brought into such perfect proportionality that there will be just as many Platos and Newtons as are needed and no more. The same shall be true of all other producers down to the lowest grade.

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men with it. The irreparability of the injustice which it causes, the violence which it does to attractions and repulsions, the yoke of iron which it fastens upon the will, the moral torture to which it subjects the conscience, the debilitating effect which it has upon society, and, to sum it all up, the pious and stupid uniformity which it enforces upon the free, active, reasoning, unsubmissive personality of man, have shocked common sense, and condemned communism by an irrevocable decree.[1]

This passage, together with his famous sayings: "Communism is inequality"; "Communism is oppression and slavery"; "Property is the exploitation of the weak by the strong, communism is the exploitation of the strong by the weak," furnish sufficient documentary evidence upon the question. Proudhon regarded the rise of socialistic and communistic opinions as an added sign that the times were out of joint. Writers of that school make a diagnosis of the social disease very similar to his own, but when it comes to the application of the remedy Proudhon differs from them in most essential particulars.

Proudhon believed that if the state in all its departments were abolished, if authority were eradicated from society, and if the principle of *laissez faire* were made universal in its operation, every form of social ill would disappear. According to his view men are wicked and ignorant because, either directly or indirectly, they have been forced to be so: it is because they have been subjected to the will of another, or are able to transfer the evil results of their acts to another. If the individual, after reaching the age of discretion, could be freed from repression and compulsion in every form, and know that he alone is responsible for his acts and must bear their consequences, he would become thrifty, prudent, energetic; in short he would always see and follow his highest interests. He would always respect the rights of others; that is, act justly. Such individuals could carry on all the great industrial enterprises of to-day either separately or by voluntary association. No compulsion, however, could be used to force one to fulfil a contract or remain in an association longer than his

[1] What is Property? trans. p. 259.

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interest dictated. Thus we should have a perfectly free play of enlightened self-interests: equitable competition, the only natural form of social organization. The dream which had floated before the mind of the economist of the Manchester school would be realized.

Among the different forms of monopoly which afflict society at present, Proudhon considered the money monopoly to be fraught with the greatest evil.[1] By this he meant, in the first place, the selection of two commodities, gold and silver, from among all the rest, to be the standard of value and the intermediaries in all exchanges. This gave them sovereign power, established as it were the monarchical régime among commodities; for he who possesses money, the universal representative of value, can command wealth in all its forms. To metallic money, in course of time, the idea and forms of credit were added. This greatly facilitated exchange and made more convenient the form of the circulating medium. But the issue of paper, as well as of metal money, was made a monopoly, in the hands either of the government, or of bankers designated by the government. In all the more important business operations paper has taken the place of metal, and property may now almost be said to exist in the form of credit documents. Those who issue and deal in these virtually control the rate of interest and, through that, rent and prices. Proudhon condemned usury as strongly as did Aristotle or the mediæval theologians. To him it was the direct result of monopoly, and the taking of it, theft. Its percentage indicated the rapidity with which the borrower was being expropriated. According to his view, if usury or interest could be abolished, monopoly in every other form would fall with it. Rent and profits, considered as the return which the proprietor can exact by virtue of his position as monopolist of land and of the instruments of production, would disappear, and wages or reward for actual service would alone remain. In one of his *brochures*,[2] written

[1] Proudhon's theory of money and credit may be found in the sixth volume of his Complete Works, and in the second volume of his Economic Contradictions.

[2] Organization du Crédit et de la Circulation, Œuvres complètes, tome 6, pp. 89–131.

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during the excitement of the revolution of 1848, Proudhon recommended that the state should take the initiative and, first, reduce incomes by a progressive scale, increasing the percentage of reduction with the size of the income. Then prices should be lowered to an equivalent degree. This should be followed by a corresponding reduction of taxation. By these measures the industrial equilibrium would be maintained, hoarded capital would be brought out, and general prosperity would ensue. He thought, however, that in order to help the peasantry and prevent their migrating to the cities this policy should not be applied to agriculture. Proudhon did not attempt to justify such wholesale confiscation of incomes by the state, but said that it was necessary to resort to it preparatory to the organization of credit.

This suggests the most important feature of Proudhon's scheme of social reform. His idea was that in the perfect social state services should exchange for services, products for products. To this end money must be abolished; for so long as products and services are exchanged for it, discount, interest, and other forms of tribute to monopoly must be paid. As a substitute for money he would "generalize the bill of exchange."

> Now the whole problem of circulation consists in generalizing the bill of exchange; that is to say, in making of it an anonymous title, exchangeable forever, and redeemable at sight, but only in merchandise and services.[1]

In other words, using the language now current in the money market, he would base bank paper upon products. By means of the bill of exchange he would mobilize all products, make all as readily exchangeable as money is now. It was this which Proudhon in company with Coignet tried to do in Paris by means of their *banque d'échange* or *banque du peuple*, established there in 1848.[2] Its operations however were soon brought to

[1] Œuvres complètes, tome 6, pp. 114 *et seq.*

[2] The theory was first stated by one Fulerand-Mozel in 1818. He founded such an institution at Paris in 1829, and another at Marseilles in 1832. In 1848, John Gray, a Scotchman, tried to carry the same theory into practice in Edinburgh, and published a book upon it, entitled Lectures on the Nature and Use of Money, Edinburgh, 1848.

See Courcelle-Seneuil, Traité des Operations de Banque, pp. 411 *et seq.* Also, by the same author, Liberté et Socialisme, pp. 100 *et seq.*

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an end by the exile of its founder. Let us see what results Proudhon hoped would follow from his plan, if it could have been carried into successful execution.

"In obedience to the summons of the government, and by simple authentic declaration," as many producers from every department of industry as could be induced to do so, should unite, draw up articles of agreement and promise to abide by them. They would in this way organize the bank. Every subscriber should keep an open account at the institution and bind himself to receive its notes at par in all payments whatsoever. The bank would thus do the ordinary business of deposit and issue. "Provisionally and by way of transition, gold and silver coin will be received in exchange for the paper of the bank, and at their nominal value." But as the new institution should grow in popular favor and become universal, gold and silver would go out of use as the exclusive bases of currency. They would be estimated solely as commodities.

What reason had Proudhon for believing that his bank, if put into open competition with moneyed institutions as they now exist, unsupported by the state, would out-compete them all, force them to close or to change their method of doing business and, finally, entirely reorganize society? It was this: the bank would charge no interest or discount on loans and would pay none on deposits. Nothing whatever would be taken or received for the use of capital. The only charge made by the bank would be enough to pay its running or office expenses. These would never amount to more than one per cent and probably could be reduced as low as one-half of one per cent. "Services should exchange for services, products for products." Reciprocity is the principle at the basis of the plan. The fact that no interest was charged would attract borrowers from the other banks and thereby force capitalists to place their funds with the new bank.

But this plan may be viewed from another standpoint, which will give it a familiar look to those who are acquainted with the most advanced socialistic schemes. If producers living at different places could know at the same time their mutual needs,

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they could exchange their products without the use of money. The bank could furnish that knowledge and so bring producers and consumers together. What it could do for one community, a network of banks could do for a nation or for the civilized world. This could be effected without the interposition of a government. The bank need not even own warehouses or magazines for the storing of commodities. The producer could, while keeping possession of his product, consign it to the bank by means of a bill of lading, bill of exchange, *etc.* He would receive in return notes of the bank equal to the value of his consignment, minus a proportional share of the cost of running the establishment. With these he could purchase of other producers, made known to him if necessary by the bank, such commodities as he desired. Meantime the bank would find for him and all others who had dealings with it purchasers of their goods. Thus supply would be adapted to demand; over-production and crises would be prevented. Every one would be assured of a market for whatever product or obligation he might possess, through the general intermediary, the bank. The bank would deal in credit documents, notes, mortgages, *etc.*, if properly indorsed and secured.

It will be seen at once that, if this form of exchange should become universal, rent, profits, interest, every form of proprietary and capitalistic expropriation would disappear. The bank, if it ever became strong enough, would fix the reward for the use of property of all kinds and for effecting exchanges. The former would be *nil*, and the latter, as we have seen, would be less than one per cent. For example, Proudhon argued,[1] while the process of transition was going on, capital would flow toward city lots and buildings and reduce their rents till the conditions prevailing in "laborers' cities" should become approximately universal. Rents would only yield enough to make good the capital spent in building, repairs and taxes. Finally, the commune could decree the abolition of rent by providing that after a certain time all payments should be carried to the account of the property, which itself should be valued at twenty-five times

[1] Œuvres complètes, tome 10, p. 203.

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the yearly rent. When the payments had been made in full, the commune could give to the occupiers a title to perpetual domicile, provided they kept the property in as good condition as it was when the grant was made. Proprietors need not be disturbed in the occupancy of their own estates till they pleased. All changes, after the first mentioned above, must be made by contract between citizens, and the execution of the contracts should be intrusted to the commune. In this way Proudhon would ultimately extend the capitalization of rent through the agricultural districts of the nation and everywhere transform proprietorship into possession. He claimed that the saving of wealth made possible by the abolition of interest would be so great, and the stimulus thereby given to production so strong, that all public and private debts could be quickly paid off, taxation reduced and finally abolished. The expense of administering government would be correspondingly lessened. But with the permanent and abounding prosperity which would be felt by all classes in the nation, poverty, the cause of crime, would gradually disappear. Courts and police administration would then be no longer necessary. Finally, as the new system extended among the nations, their internal well-being would so increase that wars would be no longer necessary. Hence the army and the navy could be dispensed with and diplomacy would become a lost art. By this process of development the departments of finance, of justice, of police, and of foreign affairs would disappear. There would be no more use for them. The state itself then would be thrown aside like an old and worn-out garment, and society would enter upon a new period of existence, the period of liberty and of perfect justice. This is what Proudhon thought could be accomplished through the organization of credit. Then the perfect individual described above would need only freedom and the equality of conditions insured by freedom to reach the highest development of all his powers. Such is the anarchistic ideal. Proudhon has repeatedly set it forth. I quote one of the passages:

> Capitalistic and proprietary exploitation everywhere stopped, the giving and receiving of wages in its present form abolished, exchange equal and

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really guaranteed, value constituted, a market assured, the principle of protection changed, the markets of the globe opened to the producers of all countries; consequently the barriers broken down, old international law replaced by commercial conventions, police, justice, administration put everywhere into the hands of those engaged in industry; economic organization taking the place of the governmental and military régime in the colonies as well as the mother countries; finally the free and universal commingling of races under the sole law of contract; that is the revolution.[1]

II. *The Individualistic Anarchists.*

Proudhon's theory is the sum and substance of scientific anarchism. How closely have the American anarchists adhered to the teachings of their master?

One group, with its centre at Boston and with branch associations in a few other cities, is composed of faithful disciples of Proudhon. They believe that he is the leading thinker among those who have found the source of evil in society and the remedy therefor. They accept his analysis of social phenomena and follow his lead generally, though not implicitly. They call themselves Individualistic Anarchists, and claim to be the only class who are entitled to that name. They do not attempt to organize very much, but rely upon "active individuals, working here and there all over the country."[2] It is supposed that they may number in all some five thousand adherents in the United States. But they measure their strength by the tendency towards greater liberty which exists in society. The progress of liberty everywhere and in all departments of social life they welcome as an added pledge of the future realization of their ideal. So they would reckon the nominal adherents of anarchism, the potential anarchists, by the hundreds of thousands. Their views and plans are deductions from the theory of Proudhon. They are a commentary on his works, an extension and occasionally a clarifying of his thought. It will be necessary,

[1] Idée générale de la Révolution, p. 297. In Justice dans la Révolution, tome 2, pp. 99–134, may be found one of the best statements of Proudhon's views of the future system of industrial and political federation, and of the method of transition to it.

[2] Letter from Benj. R. Tucker, at present the leader of the Boston anarchists.

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however, to explain more precisely the attitude of the anarchists toward the political and social institutions of this country.[1]

They, like Proudhon, consider the government of the United States to be as oppressive and worthless as any of the European monarchies. Liberty prevails here no more than there. In some respects the system of majority rule is more obnoxious than that of monarchy. It is quite as tyrannical, and in a republic it is more difficult to reach the source of the despotism and remove it. They regard the entire machinery of elections as worthless and a hindrance to prosperity. They are opposed to political machines of all kinds. They never vote or perform the duties of citizens in any way, if it can be avoided. They would not pay taxes, if there were any means of escaping it. Judges are regarded by them as the hirelings of power, and courts as centres of despotism. They regard the proceedings of legislative assemblies as vain and worthy only of contempt. They would destroy all statute books and judicial decisions. Josiah Warren stated the principle[2] that, in the case of the infliction of injury by one individual upon another, the government might, with the consent of the injured person, interfere and cause reparation to be made. But the penalty imposed upon the offender should never exceed in amount the damage which he had done. In accordance with this, the anarchists contemplate for a time at least the maintenance of a mild system of penal law, and with it trial by jury, though they do not believe in compulsory jury service. As long as there are individuals so imperfect that they insist upon infringing their neighbor's rights, they must be restrained.

The anarchists have no words strong enough to express their disgust at the scheming of the politician, the bidding for votes, the studied misrepresentation of facts, the avoidance of serious issues, and all the forms of corruption which stain our political life. Our municipal governments furnish them unlimited mate-

[1] The following statements are taken directly from the columns of *Liberty*, the paper published by the Boston anarchists; from Lysander Spooner's Letter to Grover Cleveland; William B. Greene's pamphlet on Mutual Banking; Bakunine's God and the State, and other books and documents recognized by the anarchists as authoritative.

[2] True Civilization, p. 12.

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rial for comment. They call attention to the immense labor which it takes to keep the political machinery in motion, and compare with it the little which is accomplished towards the solution of the really important social problems. No good, only evil, can be done by such methods. The influence of money in politics, the wanton disregard of law by corporations and the inability of our legislators and executives to restrain them, the self-seeking which enters into all political contests and the general lack of earnestness which characterizes them are to the anarchist proofs that the state is decaying and will soon fall to pieces at a touch. It is of no use, they say, to labor for any of the plans of reform which are now agitating parties. The state is too corrupt to be reformed: abolish it altogether.[1]

Concerning the family relation, the anarchists believe that civil marriage should be abolished and "autonomistic" marriage substituted. This means that the contracting parties should agree to live together as long as it seems best to do so, and that the partnership should be dissolved whenever either one desires it. Still, they would give the freest possible play to love and honor as restraining motives. They claim that ultimately, by this policy, the marriage relation would be purified and made much more permanent than it is to-day. They are "free lovers," but not in the sense of favoring promiscuity of the sexes. They hope to idealize the marriage relation by bringing it under the régime of perfect liberty. They would not restrain those who wish to practise polygamy or any social vice.[2] They view with abhorrence all efforts to prevent by

[1] The anarchists believe that universal suffrage is a snare prepared to entrap the unwary. As to the extension of suffrage to women, Lysander Spooner wrote: "They have just as much right to make laws as men have, and no better; and that is just no right at all." "Women want to put us all into the legislative mill and grind us over again into some shape which will suit their taste. Better burn all existing statutes." *Liberty*, vol. ii, no. 22.

[2] *Liberty*, vol. i, no. 12: "Liberty therefore must defend the right of individuals to make contracts involving usury, rum, marriage, prostitution, and many other things which it believes to be wrong in principle and opposed to human well being."—Some of the anarchists hold to the monogamic ideal; others reject it, believing in what they term "variety," which they distinguish from promiscuity in the sense that human refinement is distinct from bestial recklessness. One of the most eloquent pleas for the monogamic family ever made is Proudhon's Amour et Mariage. He was utterly opposed to divorce. See Œuvres complètes, tome 24.

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legislation and through the interference of the police the traffic in obscene literature. This is not because they wish to uphold vice: on the contrary, they desire the purification of society, but believe that it can be brought about only by the abandonment of every form of compulsion. Organize credit, let people know that the individual must endure all the results of his conduct, and that he will be held responsible for the deeds of no one else, and in process of time vice will disappear. The operation of self-interest will secure its abolition. In no sense do the anarchists advocate community of wives.[1] They desire to preserve the home and to keep the children in it, subject to parental government, till they reach such a degree of maturity that they can assume the responsibilities of life for themselves. Family government should secure its ends by reason and love, rather than by force. Should the parents separate, the young children will go with the mother. While the children remain in the family, there would of course be an opportunity for their education; but, after they leave parental control, that, like everything else, would depend solely upon their own choice. Compulsory education is inconsistent with the anarchistic system.

Proudhon, who wrote the eloquent prayer to the God of liberty and equality which concludes the first part of *What is Property?* spurned the God of the bible as the chief antagonist of man and foe of civilization.[2] The problem of human evil drove him to this conclusion. He found a fatal antinomy between God and man. Man's nature involves constant progress and development, while that of God is fixed and unchangeable. Therefore as man advances, God retrogrades. Man was created deformed rather than depraved, and a Providence, called all-wise and beneficent, has therefore condemned him to eternal misery. To Proudhon such a being possessed the worst qualities of man intensified and expanded till they reached the scope of deity. What the state is in politics and property in economics, God is in religion, a source of inequality, oppression and woe. The

[1] See Proudhon's bitter condemnation of this in his chapter on Communism and Population, Contradictions économiques, tome 22, pp. 258 *et seq.*

[2] See chapter on Providence in Contradictions économiques, tome 1, pp. 351 *et seq.*

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idea of authority originates in the conception of God; therefore, as Bakunine said: "If God existed, it would be necessary to abolish him."[1] "Who denies his king, denies his God," said Proudhon. Yet, though the anarchists believe that the church is one of the bulwarks of the state and that its spirit is essentially hierarchical, they uphold the doctrine of absolute religious freedom. Those who choose to believe in religion and to worship the Christian God, or any other divinity, should be permitted to do so without molestation. But every form of worship should be self-supporting. "Let the hearer pay the priest." If religion is of any value, let it be shown in open and free competition with all other forms of belief.[2] The anarchists of to-day are wholly atheistic, and will probably remain so, however much their number may be increased.

It thus appears that the anarchists have a programme which is as simple as it is sweeping. To every social question they answer *laissez faire, laissez passer.* Throw off all artificial restraint. Leave men to themselves. Liberty is the great, the only educator. Every question will solve itself by the operation of natural laws. All that is needed is equality of conditions. They are anti-monopolists pure and simple. Referring to the contest for the abolition of slavery, they compare themselves to the abolitionists proper[3] and constitutional republicans to the colonizationists. The latter are constantly applying palliatives; there is but one remedy, and that is the destruction of inequality at the source. Therefore the anarchists who are strictly logical, while they sympathize with all criticism unfavorable to existing institutions as tending to weaken confidence in the state, refuse to co-operate with any party of social or political reformers.[4] They believe that there is no positive power for good in association; therefore co-operative schemes

[1] God and the State, trans. p. 17.

[2] Idée générale de la Révolution, p. 261.

[3] Any standard history of the anti-slavery conflict, or the files of the *Liberator*, will show the close connection between the doctrines of the Garrisonian wing of the abolitionists after about 1840 and those of the anarchists. The appeals of the abolitionists to "the higher law" were decidedly anarchistic.

[4] See discussion carried on in *Liberty*, vol. iv, 1886 and 1887, between Tucker and Henry Appleton.

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have no attraction for them. Attempts to deal with men in the mass, to educate them by united effort, do not awaken their confidence.

I do not admit [says Tucker] anything except the existence of the individual as the condition of his sovereignty. . . . Anarchy has no side that is affirmative in the sense of constructive. Neither as anarchists nor as individual sovereigns have we any constructive work to do, though as progressive beings we have plenty of it.

Again:

History shows that liberty results in more perfect men, and that greater human perfection in turn makes increased liberty possible. It is a process of growth through action and reaction, and it is impossible to state which is antecedent and which consequent. But the action of propagandism is more effective when brought to bear upon institutions and conditions, than when aimed immediately at human nature. So we do not preach the gospel of goodness, but teach the laws of social life.

It naturally follows, from what has been said, that the anarchists who fully accept the doctrines of Proudhon believe that a long process of evolution is necessary before their programme can be put into successful operation. They are opposed to the use of violence:

But one thing can justify its exercise on any large scale, *viz.* the denial of free thought, free speech and a free press. Even then its exercise would be unwise, unless repression were enforced so stringently that all other means of throwing it off had become hopeless. Bloodshed in itself is pure loss. When we must have freedom of agitation, and when nothing but bloodshed will secure it, then bloodshed is wise. But it must be remembered that it can never accomplish the social revolution; that that can never be accomplished except by means of agitation, investigation, experiment and passive resistance; and that, after all the bloodshed, we shall be exactly where we were before, except in our possession of the power to use these means. . . . The day of armed revolution is gone by. It is too easily put down.[1]

Again:

What we mean by the abolition of the state is the abolition of a false philosophy, or rather the overthrow of a gigantic fraud, under which

[1] *Liberty*, vol. iv, no. 3, May 22, 1886, editorial suggested by the bomb-throwing at Chicago.

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people consent to be coerced and restrained from minding their own business. The philosophy of liberty can be applied everywhere; and he who successfully applies it in his family, in the place of avenging gods, arbitrary codes, threats, commands and whips, may easily have the satisfaction of abolishing at least one state. When we have substituted our philosophy in place of the old, then the palaces, cathedrals and arsenals will naturally fall to pieces through neglect and the rust that is seen to corrupt tenantless and obsolete structures.[1]

Or, stating the anarchistic programme a little more definitely, it is expected that political corruption and capitalistic tyranny, coupled with revolutionary agitation, will after a time so undermine respect for law and confidence in government that it will be possible for a small but determined body of anarchists to nullify law by passive resistance. When the experiment has once been successfully tried, the masses of men, tired of the old system, will accept the new as a welcome deliverance. Then it will no longer be possible to enforce obedience to law. People will meet in conventions, organize upon the principle of voluntary associations, and choose their natural leaders.[2] These leaders however can exercise no authority, but only use persuasion and advice coming from a wider practical experience. Those who do not wish to follow, may go their own way. Each individual can take possession of and use what property in land and raw materials he needs, but he must not thereby infringe the equivalent right of every other person. Property, thus, must be so used as to contribute to the highest social weal. Human nature will be so purified from gross selfishness that it is believed that the system of private property can be preserved formally intact. All the functions of social life, now classed as public and private, will be performed by individuals, either singly or in voluntary association. The system of mutual banking will be established, or, as the American anarchists express it, each man will be allowed to issue his own notes, based upon such property or security as he may command, and make them circulate as far as he is able.[3] In banking, in carry-

[1] *Liberty*, vol. i, no. 19.
[2] See a description of this process in *Liberty*, vol. i, no. 5.
[3] See Spooner's Letter to Grover Cleveland.

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ing of the mail, in railway and telegraph business, as in everything else, the fittest institutions and companies will survive. These results — the banishment of crime, the elimination of poverty, prosperity so great and generally diffused that the spectre which Malthus raised will never return to affright society, perfect solidarity combined with perfect individuality, the true harmony of interests, the reign of righteousness, the golden age, the millennium — will be realized and made permanent, not by multiplying the bonds which unite society, not by increasing administrative machinery and strengthening the tendencies toward centralization, as the socialists propose, but by perfect decentralization, by destroying all political bonds and leaving only the individual, animated and guided by intelligent egoism. In a society thus regenerated the anarchists expect that their system of agitation will culminate.

III. *The Communistic Anarchists.*

The Individualistic Anarchists accordingly profess to have very little in common with the Internationalists. The latter are Communistic Anarchists. They borrow their analysis of existing social conditions from Marx, or more accurately from the "communistic manifesto" issued by Marx and Engels in 1847.[1] In the old International Workingman's association they constituted the left wing, which, with its leader, Bakunine, was expelled in 1872. Later the followers of Marx, the socialists proper, disbanded, and since 1883 the International in this country has been controlled wholly by the anarchists.[2] Their views and methods are similar to those which Bakunine wished to carry out by means of his Universal Alliance, and which exist more or less definitely in the minds of Russian Nihilists. Like Bakunine, they desire to organize an international revolutionary movement of the laboring classes, to maintain it by means of conspiracy and, as soon as possible, to bring about a

[1] In *Freiheit* the manifesto is constantly referred to as of the first importance.

[2] See proceedings of Pittsburg Congress, 1883, and the manifesto there issued in *Freiheit*, Oct. 22 and 27, 1883. Also Ely's Labor Movement in America, p. 228, and appendix.

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general insurrection. In this way, with the help of explosives, poisons and murderous weapons of all kinds, they hope to destroy all existing institutions, ecclesiastical, civil and economic. Upon the smoking ruins they will erect the new and perfect society.[1] Only a few weeks or months will be necessary to make the transition. During that time the laborers will take possession of all lands, buildings, instruments of production and distribution. With these in their possession, and without the interposition of government, they will organize into associations or groups for the purpose of carrying on the work of society. To Krapotkine and the continental anarchists the commune appears best suited to become the centre of organization. The idea of the Russian *mir*, or of the primitive village community, is also very attractive to them. They would carry the principle of local self-government to an extreme. They would have no centralized control beyond that pertaining to the village or city, and, within that, the actual exercise of authority should be restricted as far as possible. A member, if dissatisfied, would be allowed to retire at any time and join another commune. The members of the commune would jointly control all its property and business. Perfect community of relations would exist within each group. The spirit of enterprise would be kept up by competition between the communes or associations. The larger ones would contain within themselves productive groups enough for the satisfaction of nearly all the needs of their inhabitants. Where such should not be the case, commodities could be obtained by inter-communal traffic. The industrial bonds thus established would prevent strife and war. Thus universal peace would prevail after the final catastrophe of revolution was passed, and by no possibility could the state,

[1] For full details as to the "propaganda of deed," see the files of Most's *Freiheit;* the Chicago *Alarm* and *Arbeiter-Zeitung;* and Most's Science of Revolutionary Warfare, an outline of which was printed as a part of the testimony in the Anarchists' case at Chicago. The testimony in that case is given in outline in Northeastern Reporter, vol. 12. The speeches of the anarchists and a history of the trial (favorable to the condemned) has been issued by the Socialistic Publishing Society of Chicago. — In book form, the most important statement of the programme of the Communistic Anarchists is Krapotkine's Paroles d'un Révolté, Paris, 1885. See also Ely's Labor Movement in America, and Laveleye's Socialisme contemporaine.

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the system of force, revive. This is the ideal of the Communistic Anarchists.[1] It is the system of economic federalism: the substitution of the free competition of local groups, holding property in common, for the complex social order which now exists. Within this social order, nations and national hate will no longer exist; a purely economic régime will take their place and make political struggle impossible. It is claimed that this is essentially different from all the older communistic schemes, because with the destruction of the state and of religion the basis upon which authority could rest would be entirely removed. The earlier writers and experimenters, like Babœuf, Cabet, Owen, are called state communists, because they proposed to establish their system with the aid of government or under its grants and protection. This later plan is purely anarchistic. The earlier apostles would destroy liberty; the later would preserve it in a perfect form, make it consistent with a stable society, and harmonize it with the greatest possible equality.

[1] "We desire no property. All that exists upon the earth must serve for the satisfaction of the needs of all. The appropriation of these things, — of land, mines, machines, and in general of all instruments which contribute toward producing the necessities of mankind, which should serve the community, and which can be produced only by the co-operative efforts of all humanity, — the appropriation of these things as the property of individuals or of certain groups is the retaining of them to the exclusion of their rightful possessor, the community, it is robbery committed against the latter. We would see it abolished. If all the instruments of production were once restored to the possession of the community, then would the latter by a rational system of organization care for the satisfaction of human needs, so that all men who are able to work could be supplied with useful occupation, and every one could secure the means necessary to an existence worthy of a human being. . . . But with private property will disappear at once the chief supports of all civil authority. For only upon the gradation of classes which private property produces could that instrument of popular oppression, the state, be erected." *Freiheit*, Oct. 31, 1883.

"What we are striving after is simply and clearly: 1. The destruction of the existing class rule, and that by the use of all possible means, by energetic, pitiless, international revolution. 2. The establishment of a free society based upon community of goods. 3. Associative organization of production. 4. Free exchange of products of equal value by the productive associations themselves, without middlemen or profits. 5. The organization of education upon an altruistic, scientific, and equal basis for both sexes. 6. Regulation of all public affairs by the free social contracts of autonomous communes and associations resting upon a federalistic basis." *Freiheit*, Oct. 13, 1883.

"While communism will form the basis of the future society, anarchy, absence of government, is the future form of public organization." *Freiheit*, Dec. 15, 1883.

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The difference between the ideals of these two bodies of anarchists, when traced back to its source, seems to spring from this. Proudhon, in his search for the root of social evil, hit upon the principle of authority, of monopoly and privilege supported by it and indissolubly connected with it. If that could be eradicated, private property would no longer be fraught with harm and might continue. That was the order of his thought. All socialists, however, from Rodbertus and Marx down, have considered private property and competition to be the cause of poverty and the evil entailed thereby. They have not gone back of property and competition to find the source of their perversion in the legal system which sanctions and upholds them. Therefore the followers of Proudhon primarily attack the state and proceed from that to their criticism of property right. On the other hand the Communistic Anarchists direct their chief assaults against private property, and through those are led to seek the entire overthrow of the state. Proudhon really leaves the individual member of his regenerated society with only the right of possession, of usufruct conditioned upon his subordinating his interest to the common weal. What restrictions this would practically lead to, neither he nor any of his followers, so far as I know, have ever shown.[1] On the other hand the Internationalists, though believing that hitherto force has been the instrument of all human progress, yet protest that it will be banished from society when organized according to their ideal. Absence of government, *Herrschaftslosigkeit*, is their ideal, as well as that of the disciples of Proudhon. The declaration of principles issued by the International in 1883 stated that the economic functions of society should be performed by free associations, and that they should also "by free social contracts" regulate all public affairs. The tendency of their writings seems to be in substantial harmony with

[1] In an editorial in *Liberty*, vol. i, no. 3, are the following statements: "We do not believe that any one can stand alone. We do wish social ties and guarantees. We wish all there are. We believe in human solidarity. We believe that members of society are interdependent. We would preserve these interdependencies untrammelled and inviolate, but we have faith in natural forces. The socialists wish a manufactured solidarity, we are satisfied with a solidarity inherent in the universe."

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this.[1] The truth seems to be that the one party has been led by its abhorrence of authority to dilute its communism, while the other, to ward off the charge that its theory leads to a *bellum omnium contra omnes*, has left the way open for a plentiful infusion of public spirit and humanitarian motives. The result is that, with the perfected individual whom they both contemplate, the ideal social states of the two anarchistic schools, if ever realized, would be very similar. Both must from the necessities of the case take largely the form of voluntary association.[2] If on the other hand the individual remained imperfect, animated very often by passion, ambition, and the lower forms of self-interest, the system of federalism would necessarily degenerate into the strictest communism, while the system of individual sovereignty would plunge society into the worst evils of unrestricted competition. In either case the restoration of the state in some form would be a necessity.

Yet, whatever may be true of their ideals, the methods of reaching them which are advocated and practised by the two anarchistic schools are wholly different. The one expects to attain success through a long process of peaceful evolution culminating in perfect individualism. Although extremely hostile to the church, their programme, so far as it concerns human relations, is essentially Christian.[3] Christianity first posited the individual as distinct from society, and began the process of freeing him from the restraints of the ancient political system. The strongest historical impulse toward the perfection of the individual has come from Christianity. The Individualistic Anarchists show its influence most clearly, for there is a decided tinge of Quakerism in their attitude toward the state.[4] But

[1] See various articles in *Freiheit*, 1885 and 1886, containing a discussion with the Individualistic Anarchists. Also Krapotkine's writings, especially two articles by him in *The Nineteenth Century* for 1887.

[2] Proudhon in Du Principe Fédératif, 1863, stated at length his belief that the ultimate social system would be one of voluntary associations for specific purposes, each member retaining his independence to the fullest possible extent. He also claimed that local powers would increase as society advanced, so that in the end liberty would win a complete victory over authority.

[3] They must agree with many of the ideas expressed by Tolstoi in My Religion.

[4] See Bancroft's account of the principles of the Quakers, History of the United

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the Communistic Anarchists are revolutionists of the most violent sort. They form the extreme left wing of the modern revolutionary movement. They teach materialism and atheism in their most revolting forms. The method which they propose to use for the destruction of society and the institution of the new order is beneath scientific consideration. It is fit only to be dealt with by the police and the courts. It furnishes the strongest possible proof of the necessity of authority and of a government to enforce it. Thus the plots of one body of the anarchists are among the most serious obstacles in the way of society ever being able to assume that form which the other group desires.

IV. *Conclusions.*

Having stated as objectively as possible the theory of anarchism, what is to be said concerning it?

In the first place it is useless to claim that it is wholly a foreign product, and for that reason to clamor for restrictions upon immigration. Newspaper utterances on this phase of the subject have consisted too largely of appeals to ignorance and prejudice. There probably are good reasons why immigration should be restricted, but this should weigh very lightly among them. It provokes a smile when we think that the agitation carried on by a few thousand anarchists — probably not more than ten thousand in all — should force this people to change its policy in so important a matter as that of immigration. Such a suggestion goes to confirm what the socialists say about the cowardice of the *bourgeoisie*. And then, unless the restrictions were made so severe as to check the peopling of this country, the spread of anarchism would not be prevented. Such crude means do not reach the seat of opinion. Anarchism, so far as it has a scientific basis, is, like socialism, a natural product of our economic and political conditions. It is to be treated as such, both theoretically and practically. Anarchism is a product

States, vol. ii, pp. 336–355: "Intellectual freedom, the supremacy of mind, universal enfranchisement, — these three points include the whole of Quakerism, as far as it belongs to civil history.

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of democracy. It is as much at home on American soil as on European. The general belief to the contrary is one of the survivals of the notion that Providence has vouchsafed us a peculiar care and an especial enlightenment. If we wished to argue that anarchism is a peculiar and characteristic American product, reasons would not be lacking. Our political system is based on the ideas of liberty and equality. The minds and the writings of our revolutionary heroes were full of the theory of natural rights and social contract. The founder of one of our political parties was a living embodiment of that theory. The anarchists ask for no better statement of their premises than the opening sentences of the Declaration of Independence. From the standpoint of the doctrine of natural rights, it is impossible to overthrow their argument. Theoretically no fault can be found with the way in which Proudhon dealt with Rousseau, nor with his statement of what he considered to be the true doctrine. But Proudhon by his analysis showed the total lack of historical basis for the theory in any form, and at the same time its practical absurdity. It appears, then, that we might expect theoretical anarchism to originate either in France or in America, because in those countries the notion of social contract has played the greatest rôle. As a matter of fact, it originated independently and at about the same time in both, in the minds of Proudhon and of Josiah Warren, and, leaving Russia for good reasons out of the account, in these countries it has obtained most of its adherents. Then our economic conditions, in the mining and manufacturing districts and large cities, are so far similar to those of the old world, that they may well occasion, when combined with the more independent spirit prevailing here, the rise of theories very extreme in their nature. Finally, the faults in our political system, especially in municipal government and in the relations between representatives of the people and corporations, are such as to give a certain amount of justification to the criticisms of the anarchists. These things furnish the food upon which such criticism thrives. If we wish to find the source of anarchism, we should contemplate the extremes of poverty and wealth

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which face each other in all our centres of population; weigh the arrogance, brutality and vice, which prevail too much in the employing class, over against the disappointment, hopelessness, and positive suffering so common among the employed; study, until it is definite and clear, the picture of manipulated caucuses, purchased ballots and falsified returns, of bribery, direct or indirect, in the halls of legislation, of political deals wherein the interests of the locality or the country are sacrificed for party success, of efforts on the part of the great majority of public men to secure party triumph rather than the country's weal; and consider, finally, the superficial nature of the questions at issue in nearly all political contests. In certain quarters of this country, such is the rapidity with which one political scandal follows another, so great the number of crimes of a semi-public nature, so intense and essentially brutal the struggle for wealth and power, that one is at times almost tempted to say with Proudhon that we are living in a state of anarchy. Our civilization at its great centres has a dark side, and an exclusive contemplation of this side will make a pessimist of any man. A profound dissatisfaction with very much that exists in our political and social system is widespread among our most intelligent population. Those who would look to the state for a certain amount of efficient aid in solving the deeper problems that confront us are always met by the thought: if this plan should be carried out, it will enlarge the sphere of political corruption and open another field for partisanship. We had better not increase the domain of state action till we have a better organized state. The prevalent distrust of our legislative bodies finds utterance in all newspapers and periodicals and even in the state constitutions themselves. These are phenomena to which it is useless, nay dangerous, to shut our eyes. The cry of sentimentalism will not brush them aside. They are tangible facts, as real as those celebrated in the song of triumphant democracy.

But, admitting that our civilization is thus imperfect, does that prove that it is wholly bad or that anarchism has anything better to offer? It is noticeable that the anarchist, in carrying

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on his crusade against the state, avails himself of the freedom of the press and assembly, and of the protection which the state gives to his person and property so long as he does not attempt to destroy the life or property of anybody else. He also uses the post office, the telegraph, the railway and all other means at hand for spreading intelligence. He uses the printing press, a good quality of paper, and movable metal type. In all his daily life he employs commodities and lives in buildings which have been produced or constructed under the capitalistic system of production, guaranteed by the state. He makes use of knowledge and practical experience, formulates scientific truths, employs arguments and illustrations, appeals to moral ideas and motives, which have been developed in society and have become its common possession since the state came into existence. Really the whole substratum of his work, material, mental, and moral, is furnished by a politically organized society. The vantage ground on which he stands, and from which he works, is not of his own construction, but has been built for him by the labor of all the preceding generations. These different classes of facts, which we have space only to hint at, represent the progress of civilization hitherto; they constitute its favorable side, and should be marshalled over against the wrongs and evils mentioned above. How did the anarchist get the conception of the indefinite perfectibility of man, except through a knowledge of what has already been accomplished? The civilized man is so far in advance of the savage that we can scarcely measure the difference. But all this progress has been made since government originated; most of it before the dogma of popular sovereignty was ever heard of. It was achieved in ages when the control of the state reached the innermost concerns of the individual, when in fact the conception of an individual apart from the state and the organic whole of society was not known. Shall I not then infer that the state, the principle of authority, is the cause of all good? Would it not be quite as logical and justifiable as to argue that it is the cause of all evil? Would not the former conclusion stand the test of historical examination quite as well as the latter? In the one case the induction would be quite as satisfactory as in the other.

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But this whole method of reasoning, whatever the purpose for which it is used, is fallacious. No social or political institution, no form of organization, is in itself responsible for all the evils of society. The alleged cause is not adequate to produce the result. Here is one of the fatal errors in the entire socialistic and anarchistic argument. Our friends of that way of thinking indulge in a great deal of denunciation; but did they ever show that the existence of the state and of private property makes A cruel, B licentious, C avaricious, when they would not be so to a greater or less degree under any conceivable organization of society? The source of what we call social evil is in the individual and in the limitations of external nature. Forms of social organization have their influence, but it is wholly subordinate to these cardinal facts. Improvement can be made by civilizing the individual and adapting his social surroundings to his enlarged needs, but progress is inevitably conditioned by the forces of the world within us and the world around us.

The perfection of the individual is therefore an idle dream. Man has lived for at least six thousand years upon the earth, and, after making allowance for all the changes caused by increasing civilization, the fundamental characteristics of human nature remain the same. Man has the animal qualities combined with the spiritual. He needs food, shelter and rest. In the struggle to obtain the commodities which will supply these wants, he is often dominated by the worst forms of selfishness and passion. Because the supply of the necessities and comforts of life is at least relatively limited, men monopolize them. Then the development of social inequality begins. The degree of knowledge, foresight, self-control which men possess is limited and exceedingly variable. The results which they achieve differ in proportion. View them as we may, these, and others like them, are primary facts; they lie beyond the reach of forms of organization. They are always to be taken for granted in discussing any social system, whether real or ideal. Every scheme of reform must adapt itself to them. Therefore no direct practical benefit can be derived from imagining a form of society where perfect justice, liberty, and equality may co-exist, and

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then applying it as a criterion to the existing order. There is so little similarity between the criterion and the system judged, that no satisfactory conclusions can be drawn. We must deal with realities and pursue methods of reform which conserve and promote all the best interests of society. This may be modest and unattractive, but it is the only true or fruitful method. We admit that society is imperfect, but the cause of imperfection lies back of society. If the institution of private property results in unnecessary inequality, it is because it is controlled by imperfect men. So it would be if we lived in voluntary associations, or under any other imaginable system. Individuals would remain essentially the same, and the old phenomena of inequality would continue. The introduction of Proudhon's system of credit would be accompanied by a great financial crisis, the result of inflation. It would tend to make inflation chronic. The scheme, as conceived by Spooner, would work much as "wild-cat" banking did before the crises of 1819 and 1837. After such convulsions in the business world, interest would be certain to reappear, and it would be the salvation of society if it did. As men are, and are ever likely to be, to throw off restraint would be equivalent to the realization in society of the Darwinian struggle for existence and survival of the fittest. This does not open an attractive prospect in any event. The trouble with us now, especially in the workings of our political system, is that the purely individualistic motives are given too full swing. The cause of political corruption is the predominance of self-seeking over public spirit.

For a justification of the state we need not construct any artificial theory, like that of natural rights and social contract. It came into existence with the dawn of society; it is as old as the individual. The existence of society without it, that is without organization and power in the organism to enforce conformity to the necessities of life and growth, would not only be contrary to all experience, but is absolutely unthinkable. To conceive society without government, the anarchists have to construct an imaginary individual; and even in this imaginary individual there is the possibility of lynch law and of the evolu-

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tion of jury trial and state prisons. We see no prospect at present of the lapse of society into the *Kleinstaaterei* of the old German Empire, or into a state where all public questions will have to be decided by Polish parliaments with the *liberum veto* in full operation.

Still, practically the only answer to that which is reasonable and just in the anarchistic argument is the pursuance of vigorous measures of political and social reform, which shall sweep away the evils among us that are degrading to any civilized people.

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INCOME AND PROPERTY TAXES IN SWITZERLAND.

THE controversies of the present day concerning taxation may everywhere be reduced to two categories: questions of justice and questions of expediency.

Whenever it becomes a question of fixing the proportions in which the various classes of a people shall contribute to the public burdens, of determining the shares of the upper and the lower strata of society, of choosing between a proportional and a progressive rate of taxation, or of exempting the minimum of subsistence, *etc.* — in all these cases we have to deal with problems of justice. Whenever we investigate the principles which govern the relations of the individual to the community and which underlie the duty of the citizen to pay taxes to state and locality; whenever we seek to determine whether public enterprises are to be conducted gratuitously or in return for fees, — *i.e.*, are to be supported by the community or by its individual members, — we have again to deal with problems of justice. And, finally, we are once more confronted with questions of justice when we discuss in their mutual interdependence the financial relations of the different public corporations, the narrower and the wider circles of civic life, — town, city, county, state, nation, — in order to grasp the varying financial capacity of the single divisions of the commonwealth, regarded as organic portions of a greater whole.

On the other hand we have to deal with problems of expediency, when the manifold *forms* of taxation, as seen especially in the familiar distinction between direct and indirect taxes, are considered with a view to lessening the difficulties produced by the opposition of private interests to public demands. The disturbances in the business life of the individual citizen as well as the curtailment of his private enjoyments; the diminution of the sums destined for the present or future purposes of each

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household; the emotions excited by this opposition of public burdens to private life, more or less active resistance, more or less joyful readiness; this or that degree of insight into the necessity of taxes, a riper or a cruder political consciousness, — these, in weighing the different forms of taxation, are the decisive considerations. The problem here is: to reduce the friction between the individual and the state in raising the requisite sums by taxation. But since every addition to the amount raised brings additional friction, growing needs on the part of the treasury make the question of the expediency of the various forms of taxation more and more important. New forms become necessary; old forms become unserviceable or need repair; a variety of forms must be combined in the same tax system, because each particular form is in itself imperfect and must be supplemented by other forms.

In a practical discussion of the reform of taxation these two points of view are generally connected with each other, for the simple reason that every modification in our idea of justice forces us to seek for an expedient form, not to be found off-hand among the forms already established. At all events, questions of both kinds are suggested by the experience of Switzerland during the last twenty or thirty years with its income and property taxes.

It has often been said that Switzerland is a political trial-field, whose experiments are instructive for the constitutional and administrative organization of other countries. This is especially true of the most recent period, during which the habitual demands of modern democracy have been realized in the small cantons, and, to some extent, in the confederation, with a rich variety of detail. The situation is the more interesting because these modern experiments are connected again with old institutions partially preserved to this day, particularly with the old democratic assemblies (*Landsgemeinden*) of the original cantons. This gives us an instructive opportunity to compare the old and the new democracy.

Among the cantons which have afforded a field for the new democratic experiments, the canton of Zurich stands foremost; and the importance attributed to income and property taxes in

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the modern democratic programme is shown by the fact that in this very canton the attempts at tax reform have been directed more especially and exclusively than in any other towards developing the income and property taxes for state and locality. Indeed, there is perhaps no second case in the civilized world where this form of taxation has been exploited to such a degree, as regards both the amounts imposed and the suddenness of the progression.

In the following pages, therefore, the experiences of Zurich will be subjected to an investigation, which is facilitated for the writer by the fact that he lived in Zurich for a number of years and studied the working of the system on the ground. The importance of the Zurich experiences for America in particular has become clear to him from several contributions to the POLITICAL SCIENCE QUARTERLY, but above all from a perusal of Professor Ely's recent work on taxation.[1]

II.

State revenues, like the state itself, develop through a series of stages; beginning as in all historic progress with the simplest form and rising to the more complex. We have the simplest form where the community owns property and manages it like a private person for the satisfaction of the common needs. A step further leads to those exclusive or monopolistic methods of gain, which draw from the citizens public revenues in a disguised form, maintaining the private relations of service and counter service (payment). After these come, as a further and higher step, imposts on various articles of consumption and exchange, justified at first, if possible, by advantages accruing to private individuals. Finally then, the duty to pay taxes — again prepared by intermediate steps — dares to assert itself openly, and to appeal to the ability of the citizen. The symptoms of his ability, again, are only gradually and slowly disclosed to the public eye; the most palpable at first, the least evident last.

In reference to the practicability of income taxes, Adam

[1] Taxation in American States and Cities, T. Y. Crowell, N.Y., 1888.

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Smith still held a very circumspect opinion, which, like many of his other doctrines, influenced the opinions of political economists for a long time. Smith, in full conformity with the English legislation of his time, is willing to admit a tax on rent, but on the other hand he opposes taxation of other income. "Land," he says,[1] "can never be a secret," and "is a subject which cannot be removed." On the other hand:

> The whole amount of the capital stock which a man possesses is almost always a secret . . . An inquisition into every man's private circumstances . . . would be a source of such continual and endless vexation as no person could support.

And further:

> The proprietor of stock is properly a citizen of the world, and is not necessarily attached to any particular country. He would be apt to abandon the country in which he was exposed to a vexatious inquisition [*etc.*].

He goes on to say:

> The nations, accordingly, who have attempted to tax the revenue arising from stock, instead of any severe inquisition of this kind, have been obliged to content themselves with some very loose and therefore more or less arbitrary estimation. The extreme inequality and uncertainty of a tax assessed in this manner, can be compensated only by its extreme moderation; in consequence of which every man finds himself rated so very much below his real revenue, that he gives himself little disturbance though his neighbor should be rated somewhat lower.

In order to prove this, Smith gives illustrations from Hamburg, from Zurich and from other Swiss cantons.

The opinion of Smith, influential as it was in theory and practice, nevertheless did not prevent one of Smith's warmest supporters, the younger Pitt, from introducing the income and property tax into England, almost during the life of Smith himself. At the same time not only did Pitt defend this tax as an extraordinary war tax, but a statesman and financier of a much later date, Thiers, has maintained in our own time the

[1] Wealth of Nations, book v, chap. 2.

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point of view that "l'impôt indirect est celui des peuples les plus avancés dans la civilisation, tandisque l'impôt direct est celui des peuples barbares."[1]

What a contrast to these views is presented by the most recent theories and practical experiments! And how is this contradiction to be explained? It is to be explained by the different influences exerted at different times and in different minds by the considerations of justice on the one hand and by the considerations of expediency on the other. It is to be explained by the opposition of idealism and realism, which makes itself felt in taxation as in all political matters. There are epochs and circumstances that afford a wider field for idealism, while under other conditions and at other times realism gains the upper hand. The great and impressive movement of democracy in our century has materially aided in forcing the ideals of justice into the foreground, especially, of course, in those states where the social and political conditions have been the most favorable. If the pioneer efforts of the physiocrats to establish justice in taxation, freed from the errors of the first conception, were to be carried out to the consequences demanded by the advancing force of the democratic spirit, it was not possible to stop at the empiricism of Adam Smith, still less to find satisfaction in the realism of Thiers.

The democratic movement of Europe has commonly formulated its demands in the matter of taxation in such wise as to reverse the ideas of Thiers regarding barbarism and civilization. It has regarded as barbaric the method of taxation which Thiers ascribes to civilized peoples, and its ideas of progressive civilization in the tax system have taken the direction which Thiers called barbaric. It has desired a readjustment of the equities between the "haves" and the "have-nots," the well-to-do and the needy classes of society; and in this endeavor it has postponed, for the time, the question of practicability. Thiers and his compeers denied that any juster system was needed, and laid stress on convenience in collection.

Those who were not content with this, and who desired a

[1] Compare citation in *Journal des Économistes*, année 1884, septembre, p. 437.

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reform in the direction of justice, could not realize their desire on the lines of indirect taxation. If the old idea of taxation according to ability, contained for centuries in laws and constitutions, was to become a fact, it was not sufficient to reform the system of indirect taxation according to the ideas of the time, it was necessary also to supplement it with something else. We can do perfect justice to the variety of economic forces in the modern state only by levying taxes calculated to reach those of larger faculty. And this is the task of progressive income and property taxes.

III.

The principle of the progressive arrangement of taxes is no new thing in legislation. The classic example afforded by Solon is familiar; and for centuries isolated cases have not been wanting of theorists who have declared in favor of progression. At the same time it is only recently, and notably in German science, that this principle has been generally accepted, as a result of exhaustive discussion. Of cardinal importance was the recognition that the progressive principle had found its way, as it were unconsciously, into legislation before it had been accepted by theory. The concessions in favor of the small and middle incomes made by the English income and property tax, as well as those made by the Prussian class and income tax,[1] (to mention only these two laws in lieu of many other examples,) amount more or less clearly to the recognition of the principle that it is not just to tax all incomes at the same rate — although the consequences of this principle were drawn here at first only hesitatingly. The chief thing is agreement on the principle; a secondary but nevertheless an important question touches the degree to which the progressive principle is to be realized in practice. A mathematically exact norm for this degree will never be possible, and agreement between the different interests as to the just rate of progression will consequently always remain a difficult matter. But this is true in all political matters, and is moreover in unison with the

[1] Klassen- und Einkommensteuer.

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principle which Montesquieu expressed in the beautiful sentence: "En naissant on contracte envers la patrie une dette immense, dont on ne peut jamais s'acquitter,"[1] and which the English naturalist, Huxley, has recently repeated in brilliant and striking form.[2] The rate of the progression depends most closely on the form which the taxes take. Progression is possible in a system composed entirely of indirect taxes. The total exemption of all articles of consumption which satisfy the wants of the majority, and the heavy taxation of all articles of luxury, would be an attempt to realize the progressive principle in taxes on consumption pure and simple. At the same time the practical difficulties of such an attempt, especially in the face of large financial needs, would soon demonstrate the inadequacy of so one-sided a system, and lead to the necessity of progressive income taxes. And this, in fact, is coming more and more to be the case in England, Germany, Switzerland, and other countries.

The distinction between property taxes and income taxes is not necessarily associated with the taxation of income, however rapid the progression; but on the other hand the term "property and income tax" does not necessarily mean anything different from an income tax. These terms, in fact, are used differently in different countries. In England the idea was and is simply this: "that a general tax shall be imposed upon all the leading branches of income" — as Pitt[3] said in his speech of December 3, 1798, explaining the reasons for the new bill. Adolph Wagner is right in saying that the name "property and income tax" is not correct; for this phrase, correctly used, indicates a different rate for different classes of income, according as they are derived from property or from gains independent of property, as the income of physicians, lawyers, engineers, state officials, corporation officers, *etc.* Such a distinction, however, is drawn in England only for the pur-

[1] Esprit des Lois, livre v, chap. 3.

[2] The Struggle for Existence, in *The Nineteenth Century*, February, 1888. See especially pp. 177, 178.

[3] Speeches of the Right Hon. William Pitt in the House of Commons, 2d ed., vol. ii, p. 432.

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pose of assessing the taxable income, not for the purpose of applying different rates of taxation. In Prussia and other German states, as in England, the principle prevails of burdening equally all kinds of income. But in Germany, in distinction from the English usage, the misleading term "property and income tax" is avoided.

In Switzerland, on the other hand, it is now customary not only to use the term "property and income tax," but also in all cases to connect with it the meaning that income from property is to be burdened more heavily than income from personal exertion. Even in this sense the expression is incorrect; for the proper distinction is not that commonly drawn in the Swiss laws, and especially in Zurich, between property and income; but, since income is taxed in both cases, the true distinction is between property-income and personal income. The use of the term "property and income tax" is simply a concession to the current usage, lacking in logical precision, and a naïve expression of the actual historical development — since in former times only such income was taxed as was derived from property.

German science is coming to recognize, more and more generally, the justice of the distinction commonly made in the tax laws of the Swiss cantons. The basis of this distinction is the conviction that income from property is really better able to pay taxes than is income from earnings. This principle is beginning to make its way into German tax legislation also. As early as 1847 the Prussian government introduced into the United Diet a bill providing that funded income should pay a higher tax rate than unfunded income — which, however, was rejected.

I need not explain to American readers the peculiar complication which exists between the old property tax and the income tax demanded of late. It suffices to refer to the work of Professor Ely: whatever additions may be necessary will find their natural place in the course of the ensuing discussion. There is one matter, however, which must be brought out here — a matter of great importance for every marked development

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of the income tax, and of especial importance for the democratic states of the present age. Adam Smith touched upon it in the passage cited above, although he failed to draw the more profound conclusions of his observations. By way of explaining and reconciling with his own sceptical view of income taxes the fact that such taxes existed in certain small states (a fact which seemed to make against his theory), Smith says of Hamburg, among other things:

> The tax is generally supposed to be paid with great fidelity. In a small republic, where the people have entire confidence in their magistrates, are convinced of the necessity of the tax for the support of the state, and believe that it will be faithfully applied to that purpose, such conscientious and voluntary payment may sometimes be expected.

He says in a similar strain, of a tax in Holland:

> It was in general supposed to have been paid with great fidelity. The people had at that time the greatest affection for their new government, which they had just established by a general insurrection.

On the one hand, then, the odium attaching to the "inquisition into every man's private circumstances" and the danger of the flight of capital to foreign states; on the other hand, certain feelings of another kind, such as patriotism, insight into the necessity of the tax, *etc.*: one set of considerations against the income tax, another in its favor. This antithesis becomes intelligible if we keep in view the ethical considerations which lie back of every system of taxation, the income tax included. This is the cardinal point; modern political life everywhere forces it upon our consideration — most clearly in the democratic republics of Switzerland. At present the most enthusiastic supporters of the income tax are far too apt to forget that the successful operation of such a tax depends upon the presence of certain conditions, or else, in opposition to Adam Smith, to regard the favorable conditions as the rule, not as the exception. But the question whether they are the rule or the exception can be answered only on the basis of a wide experience, and it seems that the experience of our century does not by any means invariably support Adam Smith's opponents.

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It is true that we notice, in the development of modern tax systems, a constantly increasing resort to income taxes; but in the practical operation of these taxes we also notice difficulties, to which the radical theory, for the most part, assigns too little weight. Our generation indeed displays an unmistakable increase of political consciousness; but at the same time the decomposing forces of the new society are manifesting themselves — the forces that have dissolved the old groups and created new and larger relations. The greater the territory of a community and the number of its citizens, the wider is the interval that separates the interests of the individual from the interests of the whole. The intensity, moreover, of the modern struggle for gain and enjoyment has rendered the sense of individual interest more acute and the citizen more prone to subordinate the demands of the community to his private advantage. In this regard it is an instructive experience that, in America, "the larger the city, the smaller the proportion of personalty reached."[1]

IV.

Let us now turn to the Swiss experiences. There is a great contrast between those property and income taxes of the Swiss cantons, especially of Zurich, about which Adam Smith wrote, and the development of the same taxes in the last twenty to thirty years. Formerly these taxes were not permanent; they were extraordinary taxes, levied only for especial emergencies. Moreover, they were mostly of moderate amount. Above all, the raising of the tax was facilitated by those old-time feelings and opinions which Smith mentions with praise as exceptionally favorable conditions. All this has been changed — at all events in those cantons in which the modern development first began and has had time to work itself out. In no canton is the change more complete than in Zurich. The decisive impulse to this change came from the enormous increase of the financial needs of canton and commune — an increase which everywhere characterizes the modern development of public finance. There are

[1] Ely, Taxation, pp. 158, 172.

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indeed certain cantons which still adhere to the older traditions, and which form an interesting contrast to the modern development. They still base their budget chiefly on the yield of the public domain and similar old-fashioned sources of revenue. Graubünden, *e.g.*, learned the necessity of regular taxes only about thirty years ago, and to the small amount which it thus raises this ancient canton still applies the significant name of "deficit."

The salt monopoly (*Salzregal*) exists in all the cantons as a survival of the older period, and is exploited in the old-time fashion, with a disregard of all but fiscal interests more or less complete in proportion as the cantons adhere to old-time usages. But the more the views of modern times force their way in, the more it loses its fiscal character and is administered as a monopoly for the public good with small net profits. So especially in Zurich. In general, indeed, the inroads of modern radicalism are making indirect taxes more and more unpopular. A generation ago, the constitution of the canton of Aargau (February 22, 1852) provided, in article 26: "New indirect taxes, in addition to those at present existing, can be introduced only by a constitutional provision." On the other hand, reference is made to "direct taxation" as the normal means of satisfying the wants of canton and commune, in case "the yield of the public property and the legal revenues do not suffice." At the meetings of public societies, congresses and the like, and in the corresponding organs of the press, it is proclaimed with even greater emphasis:

> At the bar of science, indirect taxation has long been arraigned and condemned. Accordingly it cannot and will not much longer remain doubtful, that the suppression of indirect taxes is a demand of the times.

In view of the rapid increase of financial needs in canton and commune it is in fact already impossible, on grounds of financial technique, to raise the large sums required by means of indirect taxation. Two different tendencies, accordingly, are leading to the same result, *viz.* to the introduction of heavy direct taxation: first, the change of opinion concerning the equities; and sec-

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ondly, the greatly increased demand, which is itself the product of advanced views regarding the duties of state and community. Both tendencies form part of the general democratic drift of the age. First, the effort is to remove the burdens from the shoulders of the majority of the people and to put them on the shoulders of the wealthy; secondly, an attempt is made to render the public organs of state and community serviceable to the interests of the majority in a greater degree than formerly through improved institutions of learning, means of communication, *etc.*

This democratic movement has gone furthest in the canton of Zurich, whose constitution of April 18, 1869, promulgates the following characteristic principles:

Art. 28. The people exercises the legislative power in conjunction with the cantonal council.

Art. 30. The popular vote on the legislative acts of the cantonal council (*referendum*) takes place twice a year, in spring and autumn.

Among the economic principles (article 19) are to be noticed:

All persons liable to taxation must contribute to the burdens of state and community in proportion to the means at their disposal.

The property and income tax is to be arranged according to classes on the principle of moderate and just progression.

Property of small value belonging to persons unable to work, as well as that part of all incomes which is absolutely necessary to life, is exempt.

The progression shall not exceed five times the simple rate in the case of income nor double the simple rate in the case of property.

Property can be assessed only proportionally for local burdens.

The state levies a tax on inheritances progressively according to the remoteness of relationship and the size of the inheritance.

No new taxes on the consumption of necessities can be introduced. The salt tax is to be reduced forthwith.

Besides the laws reducing the price of salt and regulating the tax on inheritances, the chief laws passed to carry these constitutional provisions into effect are: the "law concerning the property, income, and active-citizen tax"[1] of 1870, and the "law concerning localities"[2] of 1875.

[1] Gesetz betreffend die Vermögens-, Einkommens- und Aktivbürgersteuer.

[2] Gesetz betreffend das Gemeindewesen.

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With unintentional humor, the law of 1870 begins with the words which characterized the income taxes of the *old* state:

In so far as the yield of the public domain and the other legal revenues do not suffice to cover the state expenses, a property, income, and active-citizen tax is levied, whose amount is determined by the cantonal council from time to time on fixing the estimates.

The real content of the law is as follows: First, the progressive scale. This is copied from the tax law of Solon, which was based on the "principle consistent with the character of a humane legislator" that

the smaller the income of a citizen, the less in proportion should the state take from an equally large part of it, compared with the higher income of another citizen. For every citizen must first obtain a maintenance for himself and his family, and the poor man, compared with his richer neighbor, suffers if he be taxed in the same proportion, and at the same rate.

This principle might be carried into effect in two ways:

either by the poorer class paying a smaller portion of their property than the higher, . . . or by the taxable capital being so rated, that only a part of the property of the lower class should be considered taxable. The first method is of difficult management, the second is much the more judicious. The government of the state knows what is the sum total of the whole taxable capital of the country and its own wants, and can at a single survey determine what portion of the taxable capital is to be demanded.[1]

In the tax law of Zurich the scale of progression is fixed according to this method; with one scale for property, and a second scale, connected with the first, for personal income.

The rate for the property tax is so fixed that of the first 20,000 francs of each individual mass of property only five-tenths is put in the tax lists, of the succeeding 30,000 francs only six-tenths, of the next 50,000 francs only seven-tenths, of the next 100,000 francs only eight-tenths, of the next succeeding 200,000 francs only nine-tenths, and only the surplus over and above the sum last mentioned is entered at the full amount. We have here a relief in favor of the smaller property, which

[1] August Böckh, Public Economy of the Athenians, pp. 649-650 (Amer. Ed.).

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in the case of the smallest property amounts to one-half of the total sum, — a relief which did not exist in the older tax laws of Zurich (1832 and 1861). The amount of the tax to be levied is fixed annually by the cantonal council on motion of the government.

The second scale, for personal income, is connected with the first scale in such wise that, according to the provision of the law, two francs are paid as taxes on each hundred of the income rate wherever one franc is paid on a thousand of the property rate; which means that the average income from property is assumed to be five per cent. The scale of the rate for personal income is then developed in much more rapid progression. In the first place, the minimum of existence declared exempt by the constitution of 1869 is interpreted to include, for every income, the first 500 francs. Of the succeeding 1500 francs only two-tenths is to be put into the tax lists, of the next 1500 francs only four-tenths, of the next 3000 francs only six-tenths, of the next 4000 francs only eight-tenths, the full rate beginning with amounts above 10,500 francs. In the income tax, as in the property tax, the relief accrues to every individual income, no matter how large. With the rate as it stands since 1877 (four per mill) an income of 50,000–100,000 francs pays almost eight per cent, but an income of 2000 francs only one and a fifth per cent.

This is the state tax, which supplies the wants of the cantonal treasury. In addition to this the communal law of 1875, following the older laws, provides, in paragraph 132 on the tax system of the communes, that the taxes on property, household, and individual shall be laid in the proportion of one franc per 1000 francs of property, one franc per household, and one franc per individual. From this it follows that a household with 20,000 francs personal income and with no other property than property in use (utensils, books, apparel, *etc.*) does not pay more to the community than a poor day-laborer with a household of his own. It is the system of the American property tax,[1] which was roughly adapted to earlier conditions but is

[1] Ely, Taxation, p. 289.

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obviously unjust to-day. It is an exaggeration of the relatively just idea that, as compared with income, property is simply to be more heavily taxed. This injustice has been recognized recently in the official Swiss documents, *e.g.*, in a report of the federal commission of experts on the finances of Winterthur.

V.

Let us now examine the amounts raised by taxation under this law, and compare them with the receipts of previous years.

Since 1832, *i.e.*, since the liberal era which followed the July revolution in Zurich, there exists in that canton a "property and income tax" levied annually. In the preceding years 1803–1831, only extraordinary taxes of this kind had been levied, amounting, on an average of the twenty-eight years, to only 73,000 francs. The new tax of 1832 brought in, during the years 1836–1843, an average of 220,000 francs, with total treasury receipts of 1,100,000 francs, — that is, one fifth.

In 1878 it was otherwise. The receipts of the canton have now increased to more than fivefold (5,753,000 francs). Of this the property and income tax alone brings in 3,118,000 francs, *i.e.*, more than fourteen times as much as in 1836–1843.

There has been a similar increase in the communes. In addition to the income from some 55 millions of public communal property, there were raised in taxes: in 1866, 983,621 francs; 1875, 4,084,993 francs; 1880, 5,932,133 francs. The cantonal tax rate was and is four per mill; the communal tax rate varies up to ten per mill of property and above, rising in most cases to six or seven per mill. In a number of communes in the canton of Zurich, and in neighboring cantons, the finances have been brought to the verge of ruin, owing to peculiar obligations entered into for railway construction which resulted in loss.

The following statistical table shows the great height of property and income taxes in a number of cantons, — Zurich always at the top.

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In 1881 a man with 3000 francs personal income and 60,000 francs property had to pay in ten cantonal capitals:

	COMMUNAL TAX.	STATE TAX.	TOTAL (francs).
Basel (Baselstadt) . . .	16.00	80.00	96.00
Liestal (Baselland) . . .	166.00	. . .	166.00
Solothurn	172.00	. . .	172.00
Aarau (Aargau)	252.00	. . .	252.00
Schaffhausen	177.50	94.80	272.30
St. Gallen	198.50	82.80	281.30
Glarus	200.10	126.25	326.35
Bern	165.75	165.75	331.50
Lucerne	336.00	. . .	336.00
Zurich	359.60	197.30	556.90

Many communes in the canton of Zurich have higher taxes than the capital; so, *e.g.*, the so-called *Ausgemeinden* (suburbs) of the city of Zurich: Hottingen, 384 francs; Fluntern, 420 francs; Aussersihl, 480 francs.

We see from the above list that in 1881, in several cantons, the communes had high property taxes, while no property taxes were levied for the canton; so in Baselland, Solothurn, Aargau, Lucerne.

Not only is the burden of taxation in the canton of Zurich and in several other cantons absolutely large, but quite the greater part is direct taxation: the indirect taxes levied for commune, canton and confederation are relatively small. Reckoning together all communal and cantonal taxes paid by an inhabitant of Zurich, the average sum per capita is thirty-two francs in direct taxes and but two francs in indirect taxes. Adding to these the indirect taxes levied for the confederation (principally import duties), we obtain an additional sum of seven and a half francs per capita. Altogether, therefore, fully three-fourths is raised in the form which corresponds to the

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demands of modern radicalism — by income and property taxes. The question is: What have been the experiences under this system, and what do these experiences teach, as regards Switzerland and as regards other countries?

VI.

The question, what amount of taxes can be raised in a certain form and under given circumstances, is one that can be answered only empirically. For, in the first place, the economic conditions, the amount of wealth and the extent to which it is diffused among the population are decisive. Secondly, under economic conditions in other respects equal, very much depends on the constitution of the state, on the feelings of the population, on its contentment with the political conditions. Thirdly, the weight of a burden of taxation is not a mechanical fact, but a psychological and moral phenomenon; in last instance the feeling of the citizen is decisive as regards the relation of the burden of taxation to the personal forces that sustain it. And if, after considering all these things, a sound conclusion has been happily reached, this conclusion is valid only for the particular state and country, not for every other state. We must unfortunately renounce the hope of discovering definite doctrines of easy and universal applicability. I believe, nevertheless, that the experiences of Switzerland yield some results that are instructive to the rest of the world.

If we examine the figures tabulated above, and observe the importance which (by their showing) the income and property tax has attained in the state and local economy of Zurich and other Swiss cantons, we must in the first place acknowledge that these experiences far exceed all that could have been expected, according to Adam Smith, from such a system of taxation. Apart from a few isolated exceptions, it does not seem to be true, here, that the "proprietor of stock is properly a citizen of the world"; in other words cases of "tax dodging" (*Steuerflucht* is the Swiss term) have been rare, and the cosmopolitanism which Adam Smith ascribed to the capitalist

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has until now been regularly overcome by the affection of the Swiss for their fatherland. Nor has the other assertion of Adam Smith found confirmation, that the "inquisition into every man's private circumstances," necessarily connected with such a tax, "would be a source of such continual and endless vexation as no person could support." The Swiss cantons of to-day have not been satisfied "with some very loose and . . . arbitrary estimation, . . . compensated by the extreme moderation" of the tax; and yet, up to the present time, they have "supported" the tax pretty well. Still less true, according to these Swiss experiences, is the assertion of Thiers; unless, indeed, we ascribe to the words "barbarism" and "civilization" an exceedingly unusual meaning.

No, we cannot refrain from recognizing the fact that in the Swiss tax system (and the experience of Great Britain and the German states has been analogous) great progress has been made as against old-time ideas and the older theory.

But here also, as is usually the case, the progress has been one-sided, and gives rise to divers doubts which remind us again of the words of Adam Smith. There is scarcely another point in the organism of the state where the *circulus vitiosus* of radical democracy can be recognized so clearly as in taxation and the organs of taxation. Inasmuch as democracy makes the collective will of the individual citizens master of the constitution and administration, what the state accomplishes can never transcend the will of these citizens or of their majority. It follows from this, so far as taxation is concerned, that all political control over the collection of taxes remains dependent on the will of the tax payers; and therefore that the degree of readiness to pay taxes that already exists can hardly be increased by public control. Every attempt of this nature will be rendered nugatory by the popular will; either through the rejection of laws designed to meet the difficulty, or through the paralyzing of the law's enforcement by democratic influences.

Social democracy tries to escape from this dilemma by giving taxation a form which vests one social class with the power to determine the will of the state, and imposes upon another class

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the duty of paying the taxes. The majority, possessing little or nothing, determines the will of the state, makes the laws, administers the collection of the taxes; on the other hand, the possessing minority alone pays the taxes. In this path, if it were logically followed, an apparent solution of the conflict would indeed be found. A social democratic proletariat, making use of universal suffrage, votes itself free from taxation by a generous measurement of the minimum of existence, and passes a Draconian tax law for the "rich" — a law whose execution is carefully watched over by the proletariat.

It will readily be apprehended to what moral and political degradation this ideal points. Switzerland, happily, notwithstanding her radical constitution, is still far removed from such a peril. It is true, indeed, that in certain portions of the canton of Zurich and other cantons, the industrial proletariat has recently grown in strength; but on the whole Switzerland is still to-day what the social democrats despise so heartily — a *bourgeois* republic. Moderate property is still, and probably will be for a long time, the dominant element in Swiss society. Even the Zurich tax law, which, as we have seen, is in part rapidly progressive, takes care that the small property owner shall feel his share of the weight of taxation; in other words, that the first principles of political ethics shall be preserved in the field of taxation.

But it is precisely this fact that produces laxity in the measures to control the assessment of taxes. Inasmuch as every law is subject to popular vote, it is rejected as soon as its provisions seem inconvenient to the majority of the people. Since the passage of the tax law of 1870, an attempt has been made in Zurich to provide for an official inventory in every case of decease, in order to control the truth of the property returns. But this measure has aroused a steadily increasing antagonism; and the same ill fortune has befallen other measures of a similar nature. In this regard it is characteristic that the attempts at reform come from the radical democratic or social democratic party; the opposition from the majority of the small, moderate, and large property owners.

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As regards the actual condition of assessment, information is afforded by the official message which recommended to the people in 1870 the taking of an official inventory. The data were derived from the results of the inventories taken in cases of judicial guardianship and in collecting the inheritance taxes. Although these data are not absolutely reliable, they afford an approximate means of forming a judgment. They show that the assessment for the property tax reached on the average half the actual amount. Mark the words — *on the average.* In individual cases, the difference varied exceedingly, from the full amount down to one-tenth and even less! The corresponding figures for successive years give about the same result; except that the difference has perhaps become less, for the reason that it became necessary, in view of the increasing needs and an unaltered tax rate, to look more sharply after the assessment.[1]

This condition is plainly not satisfactory. The "inquisition" which Adam Smith feared is avoided, thanks to democratic institutions; but the "inequality" of the burden of taxation is present in a high degree in consequence of the inequality in honesty and in political maturity. The high rate of taxation makes this inequality particularly serious.

In this connection, the fact is instructive that, since 1876, the canton of Zurich has not dared to increase the rate, although its needs have continually increased and it consequently has a chronic deficit. The highest endurable rate was reached in a few years with a sudden jump.

VII.

These experiences led to a change of policy. The democratic dogma had up to this time refused to accept indirect taxes. Now the difficulties of direct taxation led to the recognition of the relative justice and necessity of indirect taxes. In the cantonal council of Zurich, movements for the introduction of new indirect taxes soon manifested themselves, and commissions of

[1] Whoever desires to learn the precise figures will find them, as well as fuller details on the whole subject, in my two works: Volkswirthschaftliche Aufsätze (Stuttgart, 1882) and Nationalökonomische Studien (1886).

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this body busied themselves repeatedly with investigations looking to this end. The obstacles were partly the technical difficulties presented by the introduction of new indirect imposts in this little community, partly the political difficulties connected with all popular votes on new tax laws. On the other hand, a prospect was opened to which the author of these lines had already referred in 1876, *viz.* an increase of the federal customs duties and an assignment of a portion of these duties to the separate cantons.

The dominant democracy — only a few years before blindly devoted to the dogma of the income tax and incapable of comprehending the necessity and expediency of a change of policy — declared, early in the year 1884, in one of its leading papers:

> The best argument for indirect taxes is the difficulty of carrying out the system of direct taxes in a way that is fair for all. . . . The cantons are at their wits' end with their policy of taxation. . . . The confederation, indeed, might very reasonably introduce indirect taxes and thus let streams of gold flow into the twenty-five cantonal treasuries. . . . Perhaps the confederation will be approached by the cantons for this purpose; for *Noth lehrt beten.*[1]

In other words, a veritable *pater peccavi* of the democratic radicalism. The impotence of democracy for a serious reform of the indirect tax system and the desire to shun the pressure of stricter measures — causes both of which were ultimately connected with the existing constitutional conditions — led the radicals back into paths which were supposed to have been abandoned for all time. Those who were accustomed to pose as the "friends of the people" *par excellence*, accepted all of a sudden the programme of their opponents, which they had so long ridiculed.

It is indeed true that, over against the extravagant tension of direct taxation in canton and commune, the indirect tax system of the confederation, the most effective form of indirect taxation in Switzerland, is but scantily developed. Ten years ago, it was scarcely developed at all.

[1] German proverb; literally "Necessity teaches praying"; practically equivalent to the English "Needs must when the devil drives." EDS.

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In direct opposition to the English customs tariff, the customs tariff of the Swiss confederation levies light duties on all articles, — duties which descend to the minimum rate of 30 centimes per 100 kilograms for articles of prime necessity, such as wheat; which tax raw materials like cotton at 60 centimes, half-manufactured and entirely manufactured goods correspondingly higher, machines at four francs, wine at three francs, coffee three francs, sugar seven francs, *etc.* From the standpoint of commercial policy, this means the application of a moderate protective duty to all possible articles; from the standpoint of financial policy, it means the raising of revenue by taxing consumption as generally as possible. Up to 1879, no one article of consumption was singled out for heavier taxation, as is usual in other customs tariffs. Even the increase of the tobacco duty, which was finally brought about in 1879, was only an isolated and modest exception. (Until 1879, the duty on tobacco was seven francs, on cigars 30 francs; since 1879, on tobacco 25 francs, and on cigars 100 francs.) At the present time, the duty on corn produces more than the duty on tobacco — a remarkable state of things in a democratic country. The articles made dutiable in the English customs tariff produce, in Switzerland, only a quarter of the total customs receipts, moderate as these receipts are.

It is clear that not only is tobacco able to bear a much greater burden, but also the wine duty, now not exceeding three francs per 100 kilograms, is susceptible of a considerable increase. The same is true of the beer duty, which amounted to one and a half francs up to 1882 and has since been raised to three francs, and of the duties on many other commodities.

This conclusion (that an increase of indirect taxation is necessary) forces itself upon us, not only in view of the unavoidable increase in the needs of the confederation, which is compelled to follow the neighboring states in their increase of military expenditures, but also and especially in view of the connection of the federal and the cantonal tax systems. From the standpoint of financial technique, the confederation is the organ best adapted to supplement the tax systems of the cantons with indirect taxes

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— customs duties and internal revenue. A number of years will elapse before the conviction of the utility of this measure will become sufficiently widespread to modify seriously the legislation of Switzerland. But I do not doubt that the day will come when this will occur. Indeed, a beginning has been made already, which points to a wider development in the future.

The Swiss Federal Assembly voted, June 26, 1885, to adopt the following amendment to the constitution; and the majority of the people ratified the amendment by the popular vote of October 25, 1885:

> The confederation is authorized to make provision, by law, concerning the manufacture and sale of distilled liquors. . . . The net revenues derived from the taxation of the sale of distilled liquors accrue to the cantons in which the liquors are sold. The net revenues of the confederation, derived from the inland manufacture and from the corresponding duties upon the importation of distilled liquors, are distributed among all the cantons in proportion to their population. Of these revenues the cantons must devote at least ten per cent to the suppression of alcoholism.

To carry out this constitutional amendment the Federal Assembly voted, December 23, 1886, and the Swiss people ratified, May 15, 1887, the "federal law concerning distilled liquors." This law provides, in substance, as follows:

The confederation has the exclusive right to manufacture and import distilled liquors. Approximately a quarter of the necessary supply is obtained by contracts with inland producers. The distilled liquors are sold for cash by the confederation in quantities of at least 150 litres. The price is fixed from time to time by the Federal Council. It shall not amount to less than 120 francs nor more than 150 francs per hectolitre of pure alcohol. ("Denaturalized"[1] spirits are sold at cost price for technical and household purposes.) The sale of distilled liquors in quantities of at least forty litres is a business free to all; but trade in smaller quantities is subject to a license on the part of the cantonal authorities, and must pay to the cantons, according

[1] *I.e.*, alcohol so treated as to prevent its use in the manufacture of beverages, *e.g.*, by the addition of wood-spirits.

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to the amount of the transactions, a tax on sales, fixed by the cantons until the passage of a federal law. *The net profits of the administration of the federal monopoly are divided among the several cantons in proportion to the population.*

These are the main provisions of the new law. Its results will shortly be made public. The purposes at which it aims are those which have been examined in the preceding pages — purposes that in future, unless all the indications are fallacious, will play an increasingly important part in Swiss finances.

VIII.

Let us sum up the results of the Swiss experiences.

The hostility of European democracy (or of those parties which are especially accustomed to espouse the interests of the lower classes) to indirect taxation is to a certain extent justified by history. For centuries it was the means of rolling a disproportionate burden upon the shoulders of the laboring classes, through taxation of the necessaries of life. If this was not the case everywhere and at all times, it at least occurred frequently and for long periods. If writings like that of Ferdinand Lassalle, on *Indirect Taxation and the Condition of the Working Classes*, contain frequent exaggerations, it is still not to be denied that they contain a kernel of justice as well. Not the abolition of all indirect taxes indeed, but a suitable correction of the component parts of the system, and the addition of a supplementary system of direct taxes — these reforms have been made necessary by the advancing recognition of social justice in taxation. The proportion of the public burdens which ought to be borne by the well-to-do and the rich can be put upon their shoulders only by a system of income and property taxes.

This system attempts to apply the old principle that with increasing income and property a relatively greater portion should be contributed to the public needs. The scale on which the rate of progression is to be carried out, depends naturally on changing circumstances, for which no absolute norm

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exists. On the other hand it is a principle, recognized nearly as universally as the principle of progression, that the revenues from property should pay a higher rate than the revenues from personal effort, because funded income possesses much greater ability to pay taxes than personal income. Furthermore, the same reason renders it proper to supplement the property tax with a tax on inheritances, which seizes the property at a period of especial ability to pay, and which again is to be made progressive according to the size of the property and the remoteness of the relationship.

Democracy, under favoring circumstances, has realized these considerations of modern justice in opposition to the system of indirect taxes. The canton of Zurich in first instance, the other cantons of Switzerland in second instance, are the field in which this new justice in taxation is being tested. But the amount and the rapid *tempo* of the increase of the income and property taxes in the state and communal budgets of Zurich and other cantons have led to a speedy reaction. In the radical theory this new tax system has no limits; in practice, radicalism has discovered what the limits are. There is a widespread feeling that it is impossible to go any further on the new road and that it is necessary to turn back to the deserted path of indirect taxation.

But why is this? And what is the real issue in this opposition between direct and indirect taxation? There is now no longer any contest for an altered justice, such as the radicals have hitherto been waging against the indirect taxes. There has come instead a recognition of the expediency of the *form* in which the indirect taxes are levied, compared with the difficulties of highly developed income and property taxes.

It is a question of civic maturity and of the widespread recognition of the necessity of paying taxes. The question has been answered by experience, in our thoroughly democratic trial-field, in a manner in no wise satisfactory. It is however just the fatality of a democracy that, in consequence of the sovereignty of the people, no other lever can be found for the enforcement of public duty than the will of the mass

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itself. Just as high as is the stage of political maturity of the majority, just so high and not higher is the will of the law and its execution.

The difficulties which spring from this relation are so great, as regards the assessment of direct taxes, that even in the monarchic states of Germany the unavoidable participation of the self-governing localities in the administration of the tax laws produces analogous results. Because it is impossible to attain a knowledge of the income of the citizen, from the centre of the state and through its officials, without calling into play the local aid of the community itself, the assessment is based principally on those democratic elements which come unchecked to the front in a democratic republic. The weaknesses and consideration for each other's weaknesses in a body of neighbors, who demand for themselves and their associates an illegal privilege in the payment of taxes, make themselves felt even in monarchic states. Recent experiences in the Prussian Chamber of Deputies show that here, too, the popular will, acting through the parliamentary power, is able to defeat legislative measures intended to secure more stringent methods of assessment.

Such experiences ought not to be regarded as reasons for condemning the whole system of income taxation. They should only lead to moderation in the extension of this system, in order not to exaggerate its hardships. They should inspire efforts to promote the gradual development of insight and sense of duty among the citizens, as well as to improve gradually the methods and the execution of the methods for the collection of taxes. These efforts will be unsuccessful in proportion as the reformer intoxicates himself and others by the large phrases of radicalism. They will begin to yield results as soon as he accustoms himself to prove by deeds the love for liberty and for country so often paraded in words.

But since the demands of locality, state and nation are everywhere increasing; and since this increase is not waiting for those gradual developments which ought some day to show themselves in the sense of duty and in the methods of direct

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taxation, every existing state is forced to depend upon a comprehensive scheme of indirect taxation. Wherever such taxes exist, wherever they are conveniently arranged, wherever they answer in the main the demands of justice, there they are to be preserved or to be more fully developed. Wherever they no longer exist, or do not yet exist, they are to be introduced. They are not altogether, but still to some degree, the expression of that deficit in the sense of public duty which we find in all existing states. As long as it seems desirable to a great part of the nation to pay their taxes in what may be called a state of unconsciousness; as long as the payment of taxes is not a duty joyfully fulfilled but a burden gladly avoided, it will be politically wise to take account of this fact, and to arrange the taxes, at least in part, with this point in view. The drowsy vapor of tobacco and the exhilarating stimulus of wine mitigate the pang of paying taxes, as the customary anæsthetics lessen the pain of a surgical operation.

There remains in conclusion one warning.

Independently of the question just discussed between direct and indirect taxation, the efforts of the modern radicalism to reform the system of taxation involve a peril worth noting. In Prussia, the government has been attempting for a number of years, principally owing to the influence of the tax-reform ideas of Prince Bismarck, to free the lower strata of the population from the direct tax[1] which has existed in Prussia since the beginning of this century. In this the government has only partially succeeded, because the majority in the Chamber of Deputies is not in sympathy with this policy. There is nevertheless a prospect that, in course of time, these efforts will be successful. The attitude of German science is favorable to the plan, and that for several reasons. In the first place, the mass of indirect taxes which weigh upon the majority of the German people is already so considerable and has been so much increased by the recent tax reforms, especially by the new tax on brandy, that it seems a demand of justice to make allowance for this by diminishing the direct taxes. Secondly, it seems more con-

[1] The class-tax (Classensteuer), which is an embryonic income tax.

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venient for the lower classes of the population to raise that part of the public burdens which they ought in justice to bear in the form of indirect taxes; for it is precisely in the lower classes that the difficulties which stand in the way of collecting direct taxes become most apparent. Thirdly, even a further liberation of the lower classes is unattended with danger in a state which still possesses a strong monarchic power and a strong preponderance of the higher classes through all its political and social relations.

In the democratic republics of the present day the situation is just the opposite. The progressive removal of all checks upon the power of the majority, the more and more logical development of the institutions of democracy, are steadily tending to make the lower classes of the people arbiters of legislation and of the public needs of state and community. If now, side by side with this tendency, the democratic policy of taxation shall tend to exempt this same majority from taxation, there results the danger that political rights and political duties will be separated. The rights will be exercised by those who bear no burdens, and the burdens will be borne by those whom democratic institutions have stripped of power and placed under guardianship. The danger of this situation is apparent.

For this reason the exemption of the minimum of existence —a dogma which I regard as questionable on general grounds— appears to me logically and morally indefensible in a democracy. For that which is true of the modern state everywhere is true in the highest degree of democracy, that the state is a matter of common interest, a commonwealth, *res publica;* and that the obligation to serve the state and to support the state falls on the shoulders of all the citizens. The separation which the theory of former epochs attempted to make between the man and the state, constructing first a life without the state and then a life with the state, is in itself an absurdity, and above all untenable for democracy. The state belongs as much to the life of every civilized man as his daily food, or the air; without the state a civilized existence is not thinkable. The minimum of every moral existence includes the blessings of the state. It follows

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that the minimum of outlay for existence must also include the necessary expense of the state.

This view of the equities must win recognition above all in the democracy, because in the democracy the totality of citizens not only enjoy the services of the state, but decide as to their nature and direction. It is a sweet poison with which theory aids the rough instincts of the mass, when it offers the sovereign majority the doctrine of a minimum of existence exempt from taxation. Theory will always find its best career in prizing truth more highly than popularity, and in giving warning of the errors into which the *civium ardor prava jubentium* may lead.

GUSTAV COHN.

GÖTTINGEN, January, 1889.

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AN ENGLISH VIEW OF IRISH SECESSION.

THOUGH a young member of the Whig party, I will venture to speak in the name of the whole body. I tell the honourable and learned gentleman that the same spirit which sustained us in a just contest for him, will sustain us in an equally just contest against him. Calumny, abuse, royal displeasure, popular fury, exclusion from office, exclusion from Parliament, we were ready to endure them all rather than that he should be less than a British subject. We never will suffer him to be more.

These are the words of Lord Macaulay in his great speech on the motion for the repeal of the Union in reply to O'Connell. They may fairly be taken as a summary of the position which the Unionist party in Great Britain occupies at the present day. In 1889, the Queen's subjects resident in Ireland possess the benefits which Macaulay and his colleagues fought to secure to them; in other words, they enjoy the full liberty of the freest political community in the universe. All that the law of England bestows upon Englishmen is bestowed upon Irishmen. There is, however, a political party which desires to put an end to this equality of conditions and which desires to make Irishmen both less and more than British subjects.

As in 1861–65 the North fought to the bitter end to preserve the unity of the American republic, so in England there is a party no less determined to do what in it lies to preserve the integrity of the United Kingdom. It is with the hope that I may be able to lay before American readers, however imperfectly, the reasons which guide the Unionist party in England to the conclusions which they have adopted, that I have availed myself of the opportunity which has been afforded me to make a brief statement of the Unionist view of the situation.

I shall not attempt in my summary of the arguments to derive any advantage from considerations which are not and can-

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not be readily apprehended by strangers. I shall endeavor, as far as possible, to deal with logical sequences based on matters of public record, and with which any reader of political literature can easily make himself familiar. Citizens of the United States are sufficiently occupied with their own domestic problems to be fully dispensed from the duty of acquainting themselves with the details of British domestic politics; and if the acquiescence and sympathy of Americans are to be obtained by those who are working out the fate of England at one of the most critical moments of her history, it must be by stating the problem in the broadest possible terms, and by appealing to admitted facts and to logically sound reasoning based upon the simplest and clearest premises. The necessity for keeping strictly within these limitations is not without its compensations for the Englishman who essays to state his case, for it compels him to formulate his own ideas with exactness, to separate that which is adventitious from that which is essential, and to examine the arguments by which his own conclusions have been so often supported.

The Two Parties.

Having said so much with regard to the spirit in which I desire to treat the problem which has been set before me, I am anxious that I should not be taken to mean that the "personal equation" does not in any way affect my own conduct and the convictions and conduct of many of my countrymen. It is impossible to refrain from weighing heads as well as counting them; and I should be utterly failing to do justice to that great body of my countrymen whose views I share and whose cause I am anxious faithfully to represent, were I to make no mention of the character and composition of the two parties into which the United Kingdom is now so unhappily divided. There is no greater source of consolation and encouragement to the adherents of the Union than the fact that wherever they look, to whatever rank, profession or calling they turn, they find that, with rare exceptions, the men and women who before the raising of this Home-rule question would unhesitatingly have

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been named as the fittest representatives of what was most honorable, most instructed and most capable in their several callings, are now for almost the first time in English history to be found united in political thought.

To know that numbers are on our side at the present moment is of course satisfactory. But the shifting balance of the electorate is not a thing which can excite the imagination, any more than it can impress the judgment. To know that 100,000 more or less uninformed persons voted black at one election, and will therefore, for the sake of a pleasing variety and in pursuance of that law which seems to govern all popular elections, probably vote white at the next, is interesting, and, in view of the fact that this "upset" party has the power to wreck the constitution of the country, to break up the Empire, or to commit any other vagary of that kind, is in its way important enough. But as the defection of such a contingent cannot alter by one hair's breadth a sane man's conviction as to the wisdom or folly of the course which it may compel the country to adopt, so on the other hand the mere fact of its support is incapable of creating or sustaining any sort of enthusiasm for or against a particular course of action.

It is the fortunate privilege of the Unionist party in Great Britain to have a deeper and sounder inspiration; and it is the consciousness which its members feel that, whatever be the immediate result of their efforts, they are fighting on the side of all that is best in their country, that all which is honorable and of good report is with them, — it is this consciousness that has turned a political campaign into an earnest and enthusiastic struggle in which those who take part believe they are fighting for all that makes political life endurable and national life honorable.

I am quite aware that, in saying this, I am making an assertion which it is impossible to substantiate in the limits of a magazine article. There are no doubt many citizens of the United States whose acquaintance with English life will enable them to endorse or to take issue upon my statement; and it is my impression that of these Americans very few are likely to

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contradict me. But I readily admit that no such *ex parte* statement as this of mine ought to have any great weight with those who are unable to verify its correctness.

At the same time, it is surely permissible to ask any American reader to mark with attention the way in which the existing division of parties was brought about. That suddenly and without the slightest warning the foremost politician in the country should not only have abandoned the principles which he had hitherto professed, but the methods which he had previously on all occasions adopted, is a remarkable fact. That not content with abandoning the policy which for fifty years he had defended and pursued, he should have entered upon a violent crusade in favor of a policy which was not only inconsistent with, but which was in direct contradiction to that which had been relinquished, is a singular phenomenon. Nor is its singularity diminished by the fact that the zeal of the converted politician has not only led him to enforce his new-found doctrines with the utmost vigor, but has compelled him to disavow and to denounce almost every principle and profession by which he had acquired his high position.

Sudden political conversions, it is true, are not uncommon; but there are circumstances connected with Mr. Gladstone's *volte-face* which are not as ordinary and conventional as the manœuvre itself. That, with exceptions which may be numbered on the fingers of one hand, every important colleague of the minister should have declined to follow his lead, and should have preferred to risk (and in many cases to sacrifice) the present enjoyment and the future hope of political power, is not a conventional incident of a political crisis. Even outside their own country the names of some of these men are familiar as stanch and life-long supporters of that liberal creed of which Mr. Gladstone now claims to be the sole exponent. Mr. Bright, Mr. Chamberlain, Sir H. James, the Duke of Argyll, and Lord Selborne are among the number; and if their followers among the Liberal Unionist party are unknown in America, they are none the less men who for many a year have fought the battle of liberalism without a stain upon their scutcheon.

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Again, the mere fact that ex-ministers and privy councillors should be in direct and most friendly alliance with men who have earned the whole of their reputation by persistent attempts to ruin and disgrace this country, and should feel it part of their duty to defend and even to clothe with power individuals whom, up to within a few months, they had overwhelmed with the most tremendous charges of dishonesty, cruelty and treason, is a peculiar and interesting example of the strange incidents of political life in a democratic country.

I am quite aware that all these circumstances combined fail to constitute a conclusive argument. At the same time, the phenomena which have been described are in themselves so remarkable and indicate so severe a disturbance of the normal conditions of political life, that they may fairly claim careful and honest investigation. The issue which can have produced so sudden and so marked a divergence of opinion, which can have prompted such serious sacrifices on the part of the various persons affected by it, is not one which any human being, whether he be a subject of the Queen or not, has the right to settle off-hand, without a full and respectful hearing of the case on both sides. There is every reason to believe that one side of the case, that which is supported by Mr. Gladstone and Mr. Parnell in England, by Mr. Patrick Ford and Mr. Egan in America, is not likely to suffer from want of frequent and impassioned advocacy in the United States. But that the other side of the question has been put with equal vigor, or has been listened to with equal respect and attention, does not seem by any means clear.

I am desirous, as far as it is in my power, to convince American readers that a cause which has for its objects the maintenance of the Union, the supremacy of our Parliament, the enforcement of our laws, the protection of our fellow subjects, and the observance of our plighted word, is one which merits their sympathy and is entitled to command their respect.

I hope to show them that in fighting against Gladstonian Home Rule we are striving, not for a party advantage or a

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political triumph, but are contending for those principles of of national unity, national honesty, and national duty which are no less dear to us than they have always been to the people of the United States.

What is Home Rule?

Having said so much, and made it clear that there is in the United Kingdom a party important in numbers, influential as regards the character of its members, animated by an enthusiastic belief in its cause and confident that both reason and duty combine to point out its course; having shown that this party, which contains within it representatives of every section of political opinion in these islands, is united in its determination to resist to the very last the policy of Home Rule for Ireland, as proposed by Mr. Gladstone and Mr. Parnell, — it becomes necessary to go a little into detail, and to explain, in the first place, what it is against which the Unionist party is fighting, and what are the reasons, whether in morals, logic or expediency, upon which it bases its action.

It may seem a somewhat remarkable admission, but at the same time it is a fact, that the first portion of this duty is not an easy one for a Unionist to carry out satisfactorily. To define the precise danger against which we are at this moment contending is indeed, under existing circumstances, exceedingly difficult, and it is not hard to understand why this is the case. Two years ago Mr. Gladstone, being at the time in office, did, as all the world knows, propound a definite scheme of Home Rule for Ireland, the main feature of which was the creation of a separate Irish legislature and which contained a multitude of subordinate provisions by which a working constitution was to be secured between Great Britain and Ireland. At that period there was certainly no room for doubt as to the exact nature of the policy which was proposed. The whole scheme by which the British constitution was to be destroyed was to be found within the four corners of Mr. Gladstone's bill. Fully aware of the nature of the demand which was made upon them, the electors found no difficulty whatever in

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giving to it a prompt and categorical negative; and the rejection of the bill in the House of Commons was followed by the return to Parliament of a party pledged to oppose Mr. Gladstone's policy, and endowed with a working majority of over 100 votes. The decided nature of the popular verdict is remarkable enough even when it is thus stated; but it becomes even more striking when we remember that, if we eliminate the Irish members, the majority in Great Britain was no less than 181, while in England itself only 150 out of a total of 495 members were returned to support the Home-rule bill.

That any community claiming the slightest reputation for political common sense should have refused to accept the proposals contained in Mr. Gladstone's bill, is not indeed surprising; and it is hardly open to doubt that, were the same measure proposed again, it would meet with a similar fate. But at the present moment the state of affairs is very different from what it was in 1886. Relieved from the painful necessity of rigid definition, Mr. Gladstone and his principal adherents have substituted for the cut and dried clauses of a bill an infinity of vague and often contradictory generalities, which do duty, according to the nature of the audience to be addressed and the immediate object to be gained, as the principles upon which their new and amended scheme of Home Rule is to be based.

It is no exaggeration whatever to say that there is not a single person in the United Kingdom, with the very doubtful exception of Mr. Gladstone himself, who has the slightest conception as to what Gladstonian Home Rule in its present phase actually means or involves.

It is of course perfectly obvious that the very first result of Mr. Gladstone's return to power would be that he and his new ally, Mr. Parnell, would be called upon to formulate another scheme, which, while it avoided the errors of the old one, should succeed in satisfying the various parties who would be entitled to be heard. It is possible for the members of the Unionist party to anticipate with a tolerably tranquil mind this critical moment. Meanwhile, however, the Irish party, exercis-

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ing the fortunate privilege of irresponsible opposition, are careful to follow the scriptural precept of being "all things to all men." And, inasmuch as under the present conditions there is no difficulty whatever in promising to every member of the party, from the Englishman who desires to give more power to an Irish vestry to the Fenian who longs for the destruction of England and the triumph of the Irish republic, precisely what each desires, it is not hard to beat up recruits or to arouse enthusiasm. But though it be impossible, for the reasons above stated, that any member of the Unionist party should describe precisely the danger by which the country is confronted, there can be no doubt at all that every motive which actuated him in 1886 must affect him even more powerfully at the present moment.

In 1886 it was possible to read in black and white the whole injury which was to be inflicted upon the United Kingdom. In 1889 that concise catalogue of perils has been replaced by a vague but enormously increased list of menaces. But whatever be vague, this is certain: that whatever change there has been in the attitude and intentions of the Gladstonian party has been for the worse. Since 1886 Mr. Gladstone has entered into a deliberate and open alliance with men, all of whom have been animated by, and many of whom still express, deep hatred for this country. Faith plighted to Mr. Parnell and to Mr. Parnell's supporters must be redeemed, and the price for services rendered must be paid. Day by day and year by year, the departure of the Gladstonian party from the better traditions of English parliamentary life has become more and more apparent; and English members who have been compelled to suit their conduct to that of the most notorious parliamentary bravos of our time have naturally undergone a marked degradation in their efforts to be at home with their new friends. To be "hail fellow well met" with men who, to use Mr. Bright's phrase, "make it their object to insult and to degrade the Imperial Parliament," necessitates an abandonment of most of the happier traditions of English public life. For these reasons, therefore, Unionists cannot fail to view with increasing

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alarm the prospect presented to them, if ever the two sections of the Gladstonian-Parnellite party should be in a position to carry out their mutual compacts and arrangements at the expense of the country.

Having said so much with regard to the position of the Unionist party and the motives which compel it to be more than ever on its guard, I shall now state, as briefly and as concisely as I can, why it is that the Unionist party in the United Kingdom objects *in toto* to the Gladstonian policy of Home Rule, whether it be the definite scheme of 1886 or the less defined but more dangerous policy of 1889. I desire to point out to American readers that the grounds upon which we object to this policy are broad grounds of morality, reason and common sense; that the dangers which we seek to avoid are those which Americans themselves have experienced, against which they have fought resolutely in the past, and against which they would fight with equal resolution in the future.

The Federal Argument.

The whole argument in favor of Home Rule for Ireland is built up of a series of catchwords specially adapted to the taste of the various classes and persons to whom they are respectively addressed. There are two or three such catchwords which are specially adapted to the American market; and there is some evidence that the inventors have done a considerable business in this very spurious article. "Why should not England adopt a principle which is the very basis of the constitution of the United States?" "Why should England fear to accept a system which has been the salvation of America?" The merit of this particular catchword is that it contains not only one, but a dozen fallacies of the first order.

To begin with, it is scarcely necessary to recall the fact that the federal constitution of the United States is an organization brought into existence with the express object of joining that which was apart, not of separating that which was already one. On entering the Union each state surrendered a portion

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of that which it already possessed: it did not force from the nation a concession of autonomy which it had never before enjoyed. The American Union is the bringing together of a people. Parnellite Home Rule is to be the first step towards the disintegration of a nation.

But setting aside what may by some be held to be merely an abstract view, let me come to a closer examination of what this federalism which is offered to Great Britain really means; and when I have shown its true nature I will ask: Who is there in America who would permit his own country to be insulted by a similar proposition?

Let me explain what the Parnellite scheme, translated into American values, really means. Let me suppose that at the close of the war of 1861–65, and as a means of escape from the difficulties of reconstruction, it had been suggested to the people of the United States that they should reform their constitution upon the following basis. The Northern states east of the Mississippi and the Southern states on the Atlantic seaboard to enter into a federal compact. The United States Congress to be made up of representatives from both these groups. The United States Congress to make all federal appointments, to direct the foreign policy of the Union, and to control the United States army and navy. The representatives of the Southern states to have a voice in the settlement of all the domestic affairs of the Northern states, and to be enabled to prevent any useful legislation for purely local purposes. On the other hand, a second Congress to be elected in the Southern states, under the presidency of Jefferson Davis. No American other than an inhabitant of the Southern states on the Atlantic seaboard to elect to or to be a member of this Congress, to which should be entrusted, with a few statutory exceptions, absolute control over the lives and fortunes of every man in these states, including the loyal mountaineers of Western Virginia. The United States Congress, so called, to have no right or title to interfere with the internal affairs of these Southern states, save a nominal right, reserved in certain fixed cases, and enforceable only by marching federal

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troops into the country. The Southern Congress to have the right to reintroduce slavery, to pass resolutions in favor of secession and generally to "make it hot"[1] for any loyalist left within the limits of the Southern states. The security for the perpetual observance of the conditions agreed upon between the Congress of the United States and the representatives of the South, to be the verbal undertaking of the leading members of the Ku-Klux-Klan. The federal scheme so provided not to include states other than those mentioned; *i.e.* all the states west of the Mississippi and all the Southern states lying away from the Atlantic coast to be without representation in the United States Congress.

Such a constitution would doubtless strike an American as grotesque; but it is a serious and well-considered plan as compared with that which England is invited to accept as a federal solution of her difficulties with Ireland. A federal union, forsooth, is to be created, in which the federating parties are to be Great Britain on the one side and, on the other, one of the least important and least competent portions of the British Empire, inhabited by some 5,000,000 persons, two-thirds of whom boast that they desire nothing more than the ruin of England. These two high contracting parties are to administer the interests of the British Empire. A federal union, in which neither Canada, Australia, New Zealand, the Cape nor India is to be heard, is to be formed between Great Britain and the adherents of Mr. Parnell. Nor is this the whole of this monstrous jest. Already greatly over-represented in the Imperial Parliament, Ireland is to maintain in that assembly the whole of her present power for evil. The Parnellites and their successors are still to have the right to thwart, insult and degrade the operations of the House of Commons. But in Ireland they are to have another Parliament of their own, with which, save on certain special points, the Parliament of the United Kingdom is to have nothing to do. The authors of boycotting and the "plan of campaign" are to have a fair field and no favor for carrying out their enterprises in Ireland, whether it be in loyal Ulster

[1] Mr. Parnell's phrase.

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or in rebel Cork; and neither England, Scotland nor Wales is to say them nay. Then, when they please, these same men are to flock across the channel; to tax England and Scotland; to throw the weight of the Roman Catholic vote into the scale in questions which concern Protestant Scotland; and to harass and interfere with a population which has abandoned all control over their actions and their conduct.

This is the travesty of federalism which is offered by the Parnellite party.

But, it will be said, it is impossible that any practical difficulties can arise from the confusion of functions between the Imperial and the subordinate legislatures. A sharp line of definition will be drawn by statute which neither side will be able to disregard or to pass over. As to the mere theoretical possibility of laying down such a line, it has been well said by Mr. Gladstone that it is a "task which passes the wit of man to accomplish." But if the theoretical division be difficult, what is to be said of the practical working of a system based upon any such scheme? Let it be remembered that in the United States there exists not only a written constitution, devised with extraordinary skill, consecrated by the consent of the nation and the custom of a century, but that there is also that unique and splendid tribunal, the Supreme Court. In that court are decided the issues arising between the different states of the federal Union; and the decisions of the court are enforced by the moral and material weight of the entire Union. In Mr. Gladstone's bill, a sort of parody of the United States Supreme Court seemed to be suggested. Questions concerning the interpretation of the federal constitution were to be referred to the judicial committee of the Privy Council, reinforced by Irish judges. But the proposal to make the ancient Parliament of England subsidiary to a brand-new court of lawyers aroused such opposition that the defenders of the bill hastened to explain that the decisions of this tribunal were not to be binding upon Parliament. By their own interpretation of their own measure, accordingly, nothing equivalent to the Supreme Court was to be established; but none the less the necessity which

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created the Supreme Court in the United States would arise with equal force in the present case. The Parliament at Westminster and the Parliament at Dublin would constantly be at issue as to the exact limits of their respective prerogatives. The decision could, in the long run, rest only with the stronger or the more determined of the two disputants; and the judgment could only be enforced by the movement of troops and the use of ball cartridge.

Nor is the Supreme Court the only political institution in the United States which this country has reason to regard with a feeling of envy. The provision of the American constitution which guards against an alteration in the fundamental laws of the Union by the vote of a bare majority has no counterpart in the United Kingdom. It is impossible to exaggerate the danger which results from the absence of any such safeguard in an uninstructed and emotional democracy, crowded into the small area of these islands, and liable to be moved by a single wave of sentiment to a degree unknown in the more complex political society of America. At the present moment issues of the most vital importance, involving for good or for evil the whole future of this country, are liable to be decided from day to day by the shifting of scarcely one per cent of the population. It is neither remarkable nor discreditable that some hundred thousand persons should be found in the United Kingdom whose so-called opinions on any given subject are liable to be formed by the merest trifles, by the turn of a peroration or the cut of a man's clothes, by some piece of lying tittle-tattle or some personal bias of the most ludicrous kind. On the contrary, it would be strange if a certain number of such persons could not be found in any country. But that the chameleon changes of this little band should be allowed, without appeal, without time for reflection or opportunity for review, to reverse the whole current of English history, to compromise the safety of the country, and to destroy the constitution which it has taken a thousand years to construct, is nothing short of a calamity.

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The Historical Argument.

It is a mistake to suppose that the concession of Home Rule is made either inevitable or desirable by the history of the past relations between England and Ireland. Nothing, indeed, can be more damaging to the Parnellite cause than an impartial inquiry into the historical arguments by which it is supposed to be justified. It is hardly necessary to return once more to the old fallacy that, in creating an Irish legislature, England will be restoring a condition of things which existed at some previous time. For a few brief years, it is true, there did exist a Parliament in Dublin, elected by Protestant voters and composed of Protestant members, most of them nominees of the English government, and almost without exception chosen from the landlord class. If that be the Parliament which it is thought desirable to restore, it is unfortunate that no one should ever have formulated the demand. Having succeeded in involving the country in hopeless turmoil and discord, Grattan's Parliament happily disappeared; and no responsible person has ever sought to recreate it.

In the same sense the cry of "Ireland a nation once more" is a mere catchword. Ireland never was a nation; it is even true to say that the Irish never possessed a nationality. Celt, Norman, Saxon and Scot have all found a home in the island; but never, from the time of Brian Boru downwards, could it be pretended for an instant that this heterogeneous collection of races acquired the attributes or exhibited the qualities of a nation. Every trace of organization of unity of common life which Ireland exhibits is directly and exclusively the gift of English or Scotch civilization. The parish, the barony, the county, the province of the present day are all the creations, not of the Irish nation, but of the invaders who imposed order upon the wrangling tribes of natives. The Tipperary peasant, the Dublin tradesman, the Ulster operative trace back their origin to England or to Scotland, to the Ironsides of Cromwell's army, to the colonists of the Pale, to the plantation of Ulster. That these divers elements may some day form a nation is conceiva-

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ble; to contend that they are a nation at present, or that they ever formed one in the past, is a palpable contradiction of self-evident facts.

There is perhaps no argument in the historical armory of the Parnellite party which is more frequently resorted to than that which rests upon the supposed brutality and injustice of English rule in Ireland. In strict logic it must be admitted that, granting the whole contention, it is not easy to see how the position is strengthened. Granted that, in the seventeenth and eighteenth centuries, England, without any excuse and out of sheer wanton brutality, harried, oppressed and persecuted Ireland, it by no means follows that either Ireland or England will necessarily be benefited by the severing of a connection which, for three-fourths of a century at least, has admittedly been marked by the most generous and friendly conduct on the part of the stronger country towards the weaker. The mere fact that General Ireton took measures against Irish rebels in the seventeenth century no more *proves* that Ireland should become a nation, than the fact that General Hoche crushed the rising in the Vendée in 1793 proves that a Norman parliament ought to be sitting at Rouen.

But it is possible to admit a great deal too much in this connection; and for my part I am no admirer of that cheap form of humility which consists in allowing judgment to go by default against one's country simply because it pleases certain persons to attack it, and because the accusations relate to transactions which took place a long time ago. That there has been much that was hard, unjustifiable and cruel in the relations between the English government and various sections of the Irish population in times past is beyond dispute. But I am so far from sharing the tendency of some of my fellow-countrymen to go down on my knees in sackcloth and ashes in a lamentation over the vileness of my forefathers, that I am bold to maintain that in no country in the world was open, dangerous and prolonged rebellion treated so leniently as in Ireland; in no country in Europe did religious persecution assume a less deadly, a less vindictive character. It is true that the penal laws in

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Ireland were ferocious in form and often oppressive in their execution. But contrast the position of the Roman Catholic in Ireland with that of his anti-religionist in France or in Spain. France indeed had no long and wearing contest with her Huguenots. She cut the Gordian knot: the massacre of St. Bartholomew and the revocation of the edict of Nantes effectually relieved her of the necessity for enforcing penal laws against offenders who had been so effectually removed from her jurisdiction. Spain in the sixteenth century had still less trouble with her Protestants; but then her remedies had been even more drastic: the Holy Office had done its work, and the rack and the stake had cleared Spain of the taint of the heretic.

At no period of our history did England ever attempt to emulate these methods of dealing with an unpopular religion; and where the Roman Catholics were persecuted, either in England or in Ireland, it was because they were (or were honestly believed to be) rebels against the state. It must never be forgotten that over and over again, when England was literally struggling for dear life, foreign armies found ready allies in Ireland. There is not the slightest reason to blame the Irish partisans of Philip and James II for what they did; but still less is there any reason to wring our hands over the fact that English officers did what their strict duty to their country demanded, and overthrew in succession every Spanish or French force which set foot in Ireland, together with its Irish allies.

In the sixteenth and seventeenth centuries the whole of Europe was divided into two camps, and Catholics and Protestants were fighting, the former for ascendancy, the latter for existence. A portion of the Irish population elected to throw in their lot with what appeared, and in fact then was, the stronger side. They hoped to win; they intended to win; and if they had won, the cause of liberty would have gone down in England as it went down in Spain, in Austria and in France. But happily they did not win. With her back against the wall, England fought out her own salvation, and as a natural consequence took steps to keep what she had gained.

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It is often forgotten that down to the beginning of the present century there was a perpetual menace to England from foreign soldiers landed in Ireland. The date of the disappearance of this danger is the date of the commencement of an entirely new era in the attitude of English statesmen towards Irish disaffection. An alien enemy in arms must be met in arms and destroyed; and those who choose to abet him must take the chance of his defeat and submit to its natural consequences. But the grievances of disaffected subjects can be met by legislation and by parliamentary methods. The history of the English Parliament since the Union is a long record of the recognition by England of this distinction.

The Argument from the Past Conduct of England in Commercial Matters.

It is frequently alleged that the present unfortunate condition of Ireland is due almost wholly to English misgovernment, and that the pressure of exceptional legislation directed against Ireland has been exceedingly detrimental to its people. Granting that this were the case, it of course by no means follows that Home Rule is necessary or desirable. Indeed, there is little causal connection between the past legislation of England and a sudden and complete transfer of all power of legislation from the Parliament of the United Kingdom to a local body in Dublin.

But it is as unwise to accept the bare allegation as to this cause of Irish misfortune as it is to accept any other statement coming from the special pleaders of the Parnellite cause. That up to the beginning of this century penal enactments were in force in Ireland which were obsolete or unknown in England is a matter of history. Some allusion has already been made to the circumstances under which these measures were imposed. But to trace all the misfortunes of Ireland to this source is indeed an absurdity.

That the tenure of land in a province which had so often been the scene of armed rebellion, and in which nearly every

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estate had been confiscated at one time or another by the dominant party, should be unsatisfactory to many, was not only natural but inevitable. It must be borne in mind, however, that whatever may have been the extent of the confiscation it was no question of the spoliation of a native race by an alien invader. Both conqueror and conquered, Whig and Jacobite, Protestant and Roman Catholic, were equally aliens as far as their Irish origin is concerned. Many of the present tenants of Tipperary are the descendants of Cromwell's victorious soldiers. Mr. Parnell, himself a Wicklow landlord and representative of a Cheshire family, holds the acres which were bestowed by England on his predecessors. The lines of division in Ireland are not, and have not for centuries been, coincident with those of race; and a proposal to reinstate the real heirs to the confiscated estates of Ireland would, if it were practicable, produce a settlement which would surprise much more than it would gratify the National League. But setting aside these considerations for the moment, it is fair to admit that in Ireland, as in so many other countries where internal conflicts have raged, the conditions of land tenure were economically unsound, and moreover were capable of producing a great amount of harsh and unjust treatment within the limits of the law.

So clear is this, so clear was it to English statesmen, that the present century contains the record of an uninterrupted series of enactments, passed for the purpose of removing from Ireland those inequalities and hardships which the previous policy of England had imposed upon her. One by one, with a celerity probably unequalled in the history of any other country, problems of the most difficult and critical nature were taken up and dealt with. One powerful English ministry after another expended itself in its efforts to remedy the grievances of Ireland — and what has been the result? The result has been that Ireland at this moment stands, beyond all contradiction, in a position which, so far as political freedom, political privilege and the conditions of land tenure are concerned, is absolutely unrivalled in the world. With a considerable over-

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representation in the Imperial Parliament, her delegates have not only been allowed to monopolize the time of that assembly, but have been permitted to enjoy within its walls a liberty, and indeed a license, unparalleled in the history of Parliaments. In Ireland itself popular opinion has been permitted to find its expression in ways which in any other country in the world would have been forbidden. And not only has a freedom been extended to the most rabid excesses of speech and writing, but the liberty of the platform and the liberty of the press have been, in the opinion of many, too long associated with a liberty of crime which any other government but that of England would long ago have repressed by armed occupation and martial law. Nor has the great agrarian difficulty been left untouched. On the contrary, it is a simple fact that at this moment there is not in the whole world, either in Europe or in America, a state in which the conditions of an agricultural tenant can compare with those which the law has created in Ireland. Not only has the Parliament of England made up whatever of inequality there may have been in the conditions of the occupier of land in England and in Ireland, but it has now gone further, and has weighed down the scale of advantage on the side of the Irish tenant to an extent which must seem almost incredible to those who still listen to the loud-voiced complaints of the paid Irish grievance-monger.

But, it will be said, all this may be true, but the mischief done by English legislation in the past has left too deep a mark for any concession of this kind to efface it. Ireland is poor, miserable, without manufactures and without capital; and it is to England that she owes her condition. To this contention one word provides a full and sufficient answer: *Ulster.* English laws have ruined Ireland; but *there is Ulster.* English protection has crushed Irish manufactures; but *there is Ulster.* English oppression has destroyed civil liberty in Ireland; but *there is Ulster.* Yes, there is Ulster; a living, thriving fact; not to be got rid of, not to be argued out of existence, but determined to go on in its own way a witness for the truth.

English protection has crushed Irish manufactures. Has it?

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It is perfectly true that, up to the commencement of the present century, England, in common with every other nation in the world, adhered to principles with regard to the protection of her home industries, which, if I am not misinformed, are not unknown even now in some great countries. It is true that, acting according to her lights, England taxed the woollen industry of Ulster and practically destroyed it. It is true, also, that years before any other nation had contemplated the idea, and while every other country in Europe was still levying heavy internal contributions, England, under the guidance of a great minister, deliberately elected to take a step in the direction of free trade and to remove the pressure from the products of Ulster. But can it be pretended that the interference with the woollen industry of Ulster has proved her ruin? Obviously not. On the contrary, at this present moment it is in this very Ulster, which has grown up under the same laws as the rest of Ireland, that we find the seat of a great and thriving industry, raised, maintained and extended solely by the skill, honesty and perseverance of the people of Ulster.

Indeed, Ulster presents at this moment a great object-lesson to all those who desire to study the condition of Ireland. Ulster must be seen to be comprehended. There is something in the outward and visible signs of wealth and prosperity and order in that province which is more impressive than any amount of comparative statistics.

It is not unequal laws which differentiate Ulster from Munster, Belfast from Cork; it is and must be something altogether different, for the laws in Ulster and Munster are not unequal, but the same. Beyond question the difference exists, as any one who is acquainted with the two provinces knows well enough. Nowhere in the world is a sharper line of demarcation to be found between two peoples than between the Protestants of the North and their Roman Catholic neighbors. It is not necessary to express or to feel any preference for the spiritual side of either creed, or to attribute a moral excellence to the one at the expense of the other; but it is perfectly easy to compare the external and material circumstances which are asso-

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ciated with unerring constancy with the Protestant and Roman Catholic populations in Ireland respectively. There are, indeed, in Ulster, and in all parts of Ireland, thousands of Roman Catholics who have thrown in their lot with the law-abiding section of the community, and who have obtained a full share of the advantages which such an association was certain to afford. But the great fact remains that poverty, distress, law-breaking and crime follow lines which are coincident, not with the operation of any particular legislation, but with the extent and intensity of the Roman Catholic element, wherever that element is sufficiently strong to mould the social condition of the people. The qualities which succeed in Ulster succeed out of Ulster; and there is no peculiarity either in the soil or in the laws of Tipperary and Cork which condemns industry to failure and honesty to extinction. A story used to be told by the late Mr. Forster of a tour which he made through Ireland in company with Carlyle and Mr. (now Sir Charles) Gavan Duffy. Carlyle, no doubt, viewed with no very amiable eye the failures of a population for whose regeneration he prescribed, as the first and essential remedy, a course of instruction in the ten commandments; and it may easily be supposed that Mr. Duffy was not slow in enlarging upon the outrages to which his countrymen had been subjected by the Saxon oppressor. Again and again, as they drove through the country, some little patch of good farming, some comfortable house, some well-drained land or other sign of civilization and improvement caught the attention of the travellers. Again and again inquiry produced the same explanation: some Scotch or English settler, some Northcountryman from Antrim or Down had pitched his tent in the wilderness, and already the wilderness had begun to bloom. Finally, when the same inquiry had once again produced the stereotyped reply, "Ah, Duffy, Duffy," said Carlyle, turning to his neighbor, "it's always the same old story, always the hoof of your bloody Saxon."

Once more, it is *not* the fact that the present poverty and misery of Ireland are due to English law. It is possible, however, without pressing the inquiry very far, to suggest one

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cause at any rate which may reasonably be credited with some part of the poverty which undoubtedly exists. It will hardly be denied — and, if it be denied, the most crushing practical proof can be adduced in support of the proposition — that any reasonable man who since the commencement of the Parnellite agitation were to invest money in the South and West of Ireland would be justly accounted a lunatic if the money were his own, and a rogue if it were any one else's. It is not necessary to impress upon American readers the inevitable effect of banishing capital from so poor a country as Ireland. And before going back centuries to find out why Limerick is a decaying city, why credit has ceased to exist in Waterford or Tipperary, it seems reasonable to suggest that the predominance, in those parts of the country which are most depressed, of an association founded on robbery and conducted by the aid of every species of roguery and persecution, may possibly have produced the same effects in Ireland as it would undoubtedly have done in any other part of the world.

The Political Argument.

It is stated in many quarters, and it is possibly believed in a few, that the question at issue between the Unionists and the Gladstonians involves a fundamental difference of opinion with respect to the first principles of government. The most cursory examination of the facts is sufficient to dispel this misconception or misstatement, whichever it should be called. "Every people has a right to govern itself. The Irish are a people; therefore they have a right to govern themselves." This is an unimpeachable syllogism which no one can quarrel with. But — "Every nation has a right to govern itself. The Irish are a nation; therefore they have a right to make their own criminal law, to appoint their own judges and to elect their own Parliament, but *not* a right to levy their own customs, to control their own police, to endow their own religion, or to make their own land-laws" — that is a syllogism unknown to the logician or to the man of sense. From a thousand platforms the Gladstonian demagogue may be heard denounc-

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ing the infamy of a party which refuses to Ireland the right of self-government, and yet not one among them all pretends, or ever has for a moment pretended, that it was wise, right, expedient or possible to give to the Irish the self-government they so loudly demand. To descend for a moment from the splendid generalities of platform rhetoric to the actual demands of the most advanced Home-ruler is indeed to fall from the clouds to earth. A mere glance at the schedule of disabilities which Mr. Gladstone himself, in his most sanguine moments, felt bound to impose upon that Irish Parliament which he hoped to create, will enable us to obtain a fair *résumé* of the real state of the case. The levying of your customs; the raising of soldiers, militia and volunteers; the state endowment of your religious institutions; the appointment of your principal judges; the disposal of seventy-five per cent of your revenue; the settlement of your land question, — all these things, said Mr. Gladstone to his Irish friends, you are forbidden to meddle with.

It is not necessary to argue here whether this, that or the other limitation was wise or the reverse. The fact remains that, one and all, they stand on record as a testimony to what is meant by those who solemnly invoke the right of a people to govern itself. That a minister who gave to an Irish Parliament the right to raise troops or to levy custom duties upon English goods would be a traitor to his country, is beyond question. That a British minister who was dishonest enough to hand over the settlement of the Irish land question to an Irish Parliament would be practically compounding a felony, is no doubt equally true. No Unionist is likely to find fault with Mr. Gladstone for keeping within the bounds of ordinary reason and political sanity. But admitting all this, what becomes of the great principle which is supposed to be the rare monopoly of one party? In a moment the question is reduced to its proper proportions. There is *no* party in Great Britain which desires or intends to concede to a portion of the United Kingdom the rights of a nation. There is no section out of Ireland which has the remotest intention of really admitting the principle that what a majority of the Irish people wish for, that they shall

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have. Apart from the fine phrases of platform orators, the real situation of the parties may be briefly stated thus:

Both sides admit that, for the sake of good government and order, certain changes are desirable in the form of Irish administration. The Unionists claim that, before all and above all, reasonable steps must be taken to preserve national unity, to secure the absolute supremacy of the Imperial Parliament, and to enforce the law of the land for the protection of honest citizens. Any concession which is not consistent with the attainment of these objects must, they contend, be postponed for the present. The English section of the Parnellites, while professing that they too are wholly unprepared to concede to Ireland national independence, and while ready to suggest all sorts of fancy limitations to the new constitution which they propose to set up, are willing to trust to the theory of chances and to the magnanimity of Mr. Parnell for the fulfilment of those primary conditions on which the Unionists insist.

The "Coercion" Argument.

There is one argument which is frequently addressed to the most ignorant sections of our electorate and which, owing to their imperfect education, has considerable weight with them. It is not one, however, which by any refinement of courtesy can be supposed to be used with any sort of sincerity by reasonably instructed persons; and it is one which is so little likely to commend itself to Americans that I need hardly do more than allude to it. I speak of the so-called "coercion" argument. The exceptional legislation which the government of Lord Salisbury, following in the steps of that of Mr. Gladstone, has found it necessary to adopt, has one object only; namely, to protect innocent men against outrage and to enforce the law of the land against organized, openly avowed conspiracy. There is no sort of mystery about the measures which have been adopted. Their chief peculiarity is their extraordinary mildness, and the contrast which they present to the much more drastic legislation insisted upon by Mr. Gladstone, when in office.

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But it must be noted that the whole of the outcry which is at present being raised in Ireland, and by the Parnellite Party in Great Britain, is directed against the administration, not because it exceeds the laws passed and recorded by the majority of Parliament, but because it enforces such laws. Were it not for the extraordinary confusion that at present exists in this country with regard to the very first principles of political science, it would be ridiculous to press the proposition that a law must be obeyed till altered, and that any man, high or low, rich or poor, saint or sinner, who deliberately, for his own purposes and acting on his own judgment, sets up a law for himself against the law of the land, must be laid by the heels. But strange as it must appear to American readers, this is precisely the proposition which members of the Unionist party are constantly forced to combat.

With regard to the actual administration of the law in Ireland and the alleged barbarity and injustice of the Imperial officers in that country, of which we hear so much, little need be said. Anybody who has the slightest acquaintance with the Irish method of conducting a political controversy is perfectly well aware that personal attacks on individuals, gross and ridiculous misstatements of fact, and absurd charges against anybody and everybody who chances to give offence are the mere common forms of procedure. The atrocious libels which are directed against Mr. Balfour and against every one of his subordinates are simply the old stale phrases which have done duty scores of times when Mr. Gladstone, Sir George Trevelyan, Lord Spencer or some other minister happened to be in office. The blanks are filled in with another set of names — that is all.

Character of the Irish Parnellites: Argumentum ad Hominem.

In another part of this paper I have stated my belief that little is to be gained by addressing, to those who are not intimate with all the details of our domestic politics, arguments based upon the personal character of the political leaders on either side. The degree of blame or discredit which would

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attach to A, B or C for the suddenness of their change of opinion or the supposed betrayal of their associates is a matter of opinion, and cannot be decided upon any universally recognized principles of right and wrong. But there are other classes of offences and other offenders whose case presents no difficulties of this kind, and whose actions it would be impossible to overlook in any review of the situation. There is no necessity whatever to take one step into the region of controversy, to quit for one instant the realm of admitted and undoubted fact, in order to show that the Parnellite organization —the organization, that is, which has created the present demand for Home Rule and to which, in the event of Home Rule being conceded, the chief power in the new administration must be transferred—has been built up and established upon a foundation of cruel felonies, having prepared the way for its present power by the commission of more than twenty thousand brutal and premeditated crimes. There is, as I say, no controversy about the nature and object of these crimes: they have been committed, almost without exception, by persons acting, and professing to act, in the interest and by the instructions of the Land League and the National League, the two bodies which have successively conducted the Irish campaign. More than a hundred of these crimes were premeditated murders. It is constantly stated, in quarters where it is held to be important that such a belief should be entertained, that the murderers were ruined and outraged peasants, driven in a frenzy of despair to revenge their wrongs upon their unjust landlords. I am the last person to maintain that, even were this statement in accordance with the facts, there would be any reason whatever to palliate, much less to pardon, the brutalities of this vile crusade. But, as a matter of fact, the allegation is absolutely and entirely false; and inasmuch as the details of the crimes committed are matters of record in the public journals, in the official returns, and in the reported proceedings of the criminal courts, the allegation is undoubtedly false to the knowledge of most of those persons who have made it. With exceptions so rare as to be scarcely worth

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mentioning, the victims of the Parnellite movement have been poor and defenceless peasants, who have been murdered simply and solely because they endeavored to do their duty, to pay their debts and to obey the law of the land. So far from it being true that the murderers were men exasperated by ill-treatment and burning for revenge, it is beyond question that they have in almost every case been well-to-do members of the various local leagues who, uniting in gangs of from eight to fifteen in number, have gone from cottage to cottage under cover of darkness with the name of the League upon their lips, professing to act and acting as its delegates, and shooting and stabbing in cold blood every obnoxious person whom it was safe and profitable to molest. Two essential features of all these crimes must never be forgotten. In every case they were committed with the object of making, or avoiding the payment of, money; in every case they were committed against individuals who were defenceless and friendless, and known to be so. To be dangerous, to be capable of resistance, was at all times to be safe. Once only, as far as I am aware, did any gang of Irish murderers wittingly risk their own lives; and that was in the case of the Phœnix Park tragedy. But the assassination of Lord Frederick Cavendish and Mr. Burke, though the work of men who in many ways were bound up with the League, was not, strictly speaking, a League murder, and had none of the characteristics of the far greater villanies which are chargeable against the gangs of Land-leaguers in Westmeath, Cork, Galway, Limerick and Tipperary. Many of the men who organized and perpetrated these crimes are still the leaders and organizers of the National Leagues in the South of Ireland. It is supposed that there is some room for doubt about this matter, but in reality there is none. By far the greater number of these persons are perfectly well-known to the government and have always been known to the central committee of the League in Dublin, who might at any time, had they chosen to do so, have handed them over to the authorities and secured their conviction. It will be asked: Why are these persons still at large? Americans who remember the

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history of the Molly Maguire conspiracy will understand what an organized system of perjury and intimidation can effect. It is scarcely wonderful that legal evidence should be with difficulty obtainable in Ireland. A young man attends on *subpœna* to give evidence in a case affecting the Parnellites; he exhibits no hostility towards them, but it is enough that he has obeyed the summons of the law. He is left with twelve bullets in his body to die on the high road. A juror in pursuance of his oath gives a true verdict according to the evidence; he is stabbed almost to death outside his own door. A poor man acts in accordance with a decree of the land court; he is shot dead in his field. Judges, juries and witnesses are coarsely and openly threatened, and gangs of National Leaguers are employed to give reality to the menaces contained in notices and papers. Not only is perjury practised with a skill and completeness which could only be equalled in Bengal, but responsible leaders of the movement actually urge their followers to do all in their power to baffle, trick and mislead both the criminal and civil courts.

Nor, if we leave the performances of the rank and file and turn to the character and attitude of the leaders of the party under whom they serve, is the record more favorable. To go no further than the actual chief of the present agitation, the person whom Mr. Gladstone has recently taken under his patronage and to whom he purposes to entrust the government of Ireland, enough may be said of him, in very few words, to explain why it is that Unionists are reluctant to entrust the lives and fortunes of their fellow countrymen to his keeping.

For nearly ten months there met weekly, round a committee table in Dublin, six men, to whom, at a later period, a seventh was added. These seven men were the principal members of the Land League executive. In the intervals between each meeting, four of them, in accordance with instructions, left Dublin on a tour in the southern and western counties. The work in which they were engaged was usually called "organization" by the League journals. Whatever was its nature, its results were plain enough. Wherever these four confidants and

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colleagues of Mr. Parnell passed through the country, their footsteps were tracked in blood. Murders, mutilations, and outrages of every kind followed their visits to each respective locality. From time to time they came back and took their places at Mr. Parnell's council board with their three colleagues. At the end of the period named, a remarkable event took place. The existence of the Land League was threatened. Instantly this band of brothers was dissolved. The circumstances of its dissolution are most singular. A day was spent in destroying those documents which were considered to be compromising and which it was not easy to remove. The travelling members of the committee, against whom there was evidence other than documentary, fled the country and have never returned since. One of them absconded under an unanswered indictment for wilful murder. A second, Mr. Parnell's treasurer, disappeared with the cash and papers, while Mr. Parnell's secretary and one of his chief officers have both run away for reasons which they have not cared to explain. It will be asked: Where are the other three members of the committee? The answer is a simple one. They are at this moment members of the Imperial Parliament and the principal persons to whom it is proposed to entrust the destinies of honest men in Ireland.

It may be suggested that there is some room for doubt as to the correctness of these statements. There is however no room for uncertainty in the matter. Every single one of the facts referred to is a matter of public record, which any person anxious to ascertain the truth can verify without the slightest trouble.

As the leaders are, so are the followers. The twenty thousand outrages which have been committed during Mr. Parnell's period of leadership, the details of which may be studied in all their horrible reality by any one who chooses, were the work of Mr. Parnell's adherents, acting or at any rate claiming to act under his orders, in pursuance of his policy, and in the certain assurance of his support, both moral and material.

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The Argument in Terrorem.

One of the least important and least impressive arguments in favor of Home Rule is the argument *in terrorem*, the argument based on a threat, which reckons upon the cowardice of the English people. The argument would scarcely have any weight if it had not, strangely enough, been adopted by one of the most distinguished of the Liberal leaders, namely, Mr. John Morley. That the argument should have weight with men, and more especially with women and children, who, unbefriended and without either the sustaining power of present aid and sympathy or the no less powerful stimulus of perfect acquaintance with the traditions of their country, have been made the actual victims of Parnellite outrages, would not be surprising. There is perhaps more ground for astonishment that with these sorely tried sufferers the argument has apparently but little weight. But it is very singular, and not very gratifying, that the person who is apparently most strongly moved to abandon the plain path of national duty by the threats of Irish-American cutthroats and Irish moonlighters should be an eminent historian and philosopher, who has had the privilege of acting as a minister of the crown. I do not of course mean to impute personal fear to Mr. Morley. I am certain that such an imputation would be in direct contradiction with the facts. At the same time, it is absolutely impossible to deduce from the arguments of the late chief secretary any other conclusion than that it is advisable to surrender because otherwise things may, in Mr. Parnell's phrase, be made "too hot" for us. Mr. Morley has never been at any pains to conceal his opinion of the character and conduct of the men to whom he proposes to hand over the government of Ireland; but he appears to imagine that, when he has pointed out that the enforcement of the Unionist policy means more dynamite explosions in London, more shootings and stabbings in Clare and Kerry, and more ruffianism in the House of Commons, he has said enough to convince the world of the necessity for its immediate abandonment.

Now it is of course obvious that such a doctrine as this,

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whether rightly attributed to Mr. Morley or not, ought only to be mentioned to be repudiated by the representatives of any nation which hopes to retain the name. Even if it were true that for years to come the lives of our statesmen and the safety of our homes were to be at the mercy of gangs of ruffians armed with dynamite and the dagger, criminals whom no efforts could detect and no punishment terrify, it would none the less be our duty to go on in our own way, confident that England, of all nations in the world, would be able to live through and to live down a difficulty of this sort. But fortunately there is no need for such gloomy anticipations. The dynamiters and murderers have already more than met with their match; some of them have been hanged, others are in penal servitude, and every one of those still at large is known to the police and has been hunted back to the hole from which he came. As to the persecution by National Leaguers in Ireland, I admit that justice has not yet overtaken the murderers and persecutors of our poor Irish fellow-citizens. But even in that direction progress has been made, and there is every reason for hope that still greater advances may shortly be expected. As to the planned assaults upon the dignity and efficiency of our Parliament, as to the threats so often made to the effect that Irish members would stop the action of Parliament if they could not destroy its machinery, it is satisfactory to note that already all fear on that score has passed away, and the House of Commons has shown itself both able and willing to go its own way despite the most vicious and persistent attacks of the obstructionists.

There is, of course, another and a more important aspect of the argument *in terrorem* which is serious enough, and which it is impossible for Englishmen wholly to ignore. It is contended by some authorities that, in settling their domestic concerns in their own way, the British people are incurring a serious and appreciable danger of an ultimate rupture with the United States. It is impossible for me to say whether such an idea has ever received any practical embodiment in American politics; but there can be no doubt that there is a

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considerable party in this country who have used the threat of war with the United States in connection with the Irish demand for Home Rule as a rod to conjure with. Now let me say at once, that for an Englishman, or indeed for a citizen of any country, to speak of a war with the United States as anything but a calamity of the most frightful kind, involving perils far more serious than could possibly accompany hostilities with any other nation, would be to sin against all knowledge. Let me also say that, granting all this and fully aware as I am of the possibilities which such an event might involve, I would rather risk everything upon which our national existence depends than see the affairs of the United Kingdom settled by any other authority than the people of the United Kingdom. And in saying this I am simply claiming on behalf of my own country what every American would claim and always has claimed on behalf of his own.

But while thus admitting that I by no means underrate the extent of the danger if it exists, and while maintaining that if it does exist it is one which must be encountered, I cannot for a moment pretend that I fear such a consummation as that to which I have alluded. I do not believe that the people of the United States have the faintest desire to interfere in a quarrel of which I would say, with much respect, they at present only imperfectly comprehend the nature. Still less do I believe that the sympathy which no doubt exists in the minds of many Americans on behalf of those who are desirous of injuring England is likely to survive that full acquaintance with the real question at issue which time is certain to bring.

Englishmen are of course well aware of the exigencies of American politics, and their own experience is quite sufficient to enable them to understand how heavy a pressure may be put upon the policy of a great party by a well-organized and active minority. At times, it must be admitted, the exigencies of the political situation compel a course of conduct in America which appears to us to exceed the bounds of permissible political action. For instance: were a paper to appear weekly in London in which it was stated that a class would be held daily, at a

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given address in the Strand, at which the pupils would be instructed in the manufacture of explosives to be employed for the murder of President Harrison and the members of his cabinet, the destruction of the Capitol, and the sinking of American ships-of-war, it is hard to believe that a feeling of resentment would not arise in the minds of some American citizens. Nor would this feeling of resentment be allayed or diminished by the fact that the President's life *was* actually attempted, and that a portion of the Capitol *was* in fact wrecked by dynamite. Again: were it a fact that in our English papers the names of certain United States magistrates in New York or Chicago were published, with a personal description of them, and with an intimation not only that they were to be murdered as soon as possible but that men had been already despatched to put them to death, and were it also the fact that one of these magistrates was so murdered, and that others only escaped the same fate by never moving without an armed escort, I am shrewdly of opinion that the publication of such papers would be condemned in the United States. Nor do I believe that a statement that the municipal law of England provided no remedy against these practices would lead to any other rejoinder than that it would be a good thing if the municipal law were to be altered. And yet, reversing the positions, there is not a single item in the supposed cases which does not exactly correspond with the actual record of proceedings taken by and on behalf of the Parnellites in the United States and in Great Britain and Ireland. In such instances as these, we in England are inclined to believe that more has been conceded to the necessities of party politics than national comity or good feeling admit.

But as a general rule we are perfectly prepared to abide events, and to rely without fear upon the justice, the honor, and the friendship of the American people. And it now seems probable that whatever influence the purely Irish element may have upon American politics, whether it be for good or evil, has reached its highest point. It is easy to understand why this should be so. At the present moment the most extravagant estimate of that portion of the population of Ireland which is

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supposed to be unfriendly to the English connection does not exceed, if it amounts to, three millions — man, woman, and child. It is from the surplus of this population that the anti-English section in the United States must necessarily be recruited. Already in the last ten years the proportion of emigrants from Great Britain as compared with those from Ireland has been completely changed, and the figures of two Irishmen for one Englishman or Scotchman must now be reversed. Add to this the fact that, besides the English and Scotch contingent, the overflow of the great German and Scandinavian populations is pouring across the Atlantic in ever-increasing numbers, and it will be seen that the element which draws its recruits from a body of three millions has but little ultimate chance of maintaining its predominance against one which is reinforced from a population of more than a hundred millions.

It appears, accordingly, that the influence of purely Irish opinion upon American politics is more likely to decline than to increase; and to us in England who cherish nothing but the most friendly sentiments towards the American people, and who believe that the American people as a whole entertains equally friendly feelings toward us, the prospect is one which it is impossible to contemplate without considerable satisfaction.

The Fatalist Argument.

There is an argument which has much weight with those who are unacquainted with the history of their own country or that of any other, and which is based upon the supposed inevitable character of the conclusion which the Parnellites desire. The ill-feeling towards England which undoubtedly exists among a large class in Ireland is pointed to; the bitter expressions of hatred and undying enmity which form the stock in trade of the professional politicians are quoted; and it is declared that animosity so deep seated, a rancor so extreme, can never be appeased save by a general surrender.

The history of every civilized nation absolutely contradicts

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this conclusion. The history of England furnishes one of the best examples. Readers of Scott's novels do not need to be reminded of what was the feeling between England and Scotland little more than one hundred years ago, nor that, only 150 years ago, a Scotch army was in Derby. The sentiment of that period remains only in the pages of historical romance. It is not a hundred years since Hoche crushed the rising in the Vendée; and what more loyal population has France than the Bretons? The success of Austrian administration in Galicia proves precisely the same point; while Americans can tell us what has been the fate of those prophecies which, twenty-five years ago, condemned North and South to secular hatred and perpetual separation.

Nations are not made in a day, nor are their differences reconciled in an hour. But they are reconciled; and no one has the right to expect that the enforcement of a policy of national unity upon a reluctant portion of the community must end, or is even *prima facie* likely to end, in failure.

Ulster.

I have already referred to the position of Ulster, but there are one or two important points in that connection which I must not omit to call attention to.

A well-known American once stated in the presence of the writer that, of all the various nationalities which supplied immigrants to the United States, none furnished a contingent which could approach in vigor, ability and character that which came from the North of Ireland. Below the Northern Irishman he placed the Scandinavian, the Scotchman, the Englishman, the German, the Italian in the order named; and at the bottom of the list the Southern Irishman.

It is not necessary to inquire whether the merits of the last-named class were properly appreciated or whether the position assigned them can be reasonably accounted for; but the explanation which the speaker gave of the great excellence of the Ulsterman as an immigrant into a land where

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vigor, character and shrewdness are essential to success is worth remembering.

The Ulsterman has for generations been the representative of a powerful race holding its own in the midst of an overwhelming majority composed of a different race and animated by sentiments which were always uncongenial and generally hostile. Like the Magyars in Hungary, the English in India, the Germans in the Baltic provinces, the Ulstermen have not only survived but have succeeded by their force of character; in other words, by being the better men. At no period has the pressure been relaxed, and the qualities which were required to withstand it were consequently at all times exercised to the full.

Whether this explanation be correct or not, the fact remains that Protestant Ulster at this moment is incomparably ahead of the rest of Ireland in strength, wealth, prosperity, respect for law and love of personal independence. While Southern Ireland has been failing and decaying, Ulster under the same conditions has been growing and prospering with a speed and certainty which even the citizens of Chicago and San Francisco cannot afford to disregard.

Now this Ulster is confronted at the present moment by a great peril. Its people are threatened with a fate which they certainly will do their best to avoid. The men of Ulster know well enough that there is not a community from John o'Groats to the Land's End which would submit for a day to the indignity which it is proposed to force upon Belfast, Derry, Carrickfergus and other Protestant communities. No Englishman or Scotchman would trust his own security or a shilling of his own property to such a body as the Land League or to a government formed by its leaders and administered by its methods. Very few Englishmen or Scotchmen are acquainted with the real character of the League (otherwise, indeed, it would long ago have had a short shrift); but Ulster does know it, and with better knowledge there has not come a greater love. Rightly or wrongly, the Northern Protestants believe that to allow Ulster to be taxed and administered by

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a Dublin Parliament would be to deliver it over to ruin. They regard the Parnellites as men who, having failed in every honest trade, have earned and are earning a living from the doubtful trade of politics. They believe, moreover, that these men are rightly charged with being principal or accessory to the commission of gross felonies; they know their nominees to have been in trade and traffic with men whose whole life has been devoted to treasonable practices against the country to which they owe their allegiance. They look at Limerick and Dublin on the one side, and they look at Belfast and Lurgan on the other; they compare life in Kerry and life in Antrim; and they say, naturally enough: We decline to become the prey of the men who have done these things and who have produced these results.

Conclusion.

One thing it is most important for Americans, and indeed for Englishmen to remember. No settlement of the Irish question on the lines indicated by Mr. Parnell and Mr. Gladstone can ever be regarded as permanent, or indeed as anything but a temporary expedient to be tolerated for a day and to be swept away the day after by the irresistible logic of facts. Were Gladstonian Home Rule conceded to-morrow, the very next day the impossible nature of the situation would appear. The very day that a Parnellite Parliament is installed in Dublin, the duty of England to protect honest men from its operations will become apparent. During the last eight years, men and women have been persecuted, robbed and murdered in Ireland simply and solely because they were loyal to England, because they obeyed her laws, respected her authority and longed for her success. A section of the English people have during that time allowed themselves to be mystified into the idea that, because they were, or thought they were, responsible for the divisions of Ireland, it was therefore their duty to refrain from punishing those who traded on and perpetuated these divisions. As a matter of fact the attitude

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adopted was mean enough; for it cannot be too strongly insisted upon that the full penalty of submission to this self-denying ordinance fell not upon the smug gentry who went to the polls in England to vote for Mr. Parnell, mumbling a confession of their sins and declaring their desire to make any sacrifice to atone for their past wickedness; it fell wholly and exclusively upon their poor and suffering fellow-citizens in Ireland whom they had betrayed and forsaken. But when (if ever) the new régime for which the Parnellites profess themselves so anxious really comes into existence, the miserable excuses with which the English Parnellite salves his conscience will be torn away. Then he will see what is the government and who are the men to whom he has chosen for his own peace of mind to hand over his countrymen.

If one tithe of the offences that have been committed against the loyalists in Ireland, for no other reason than that they tried to be loyal and remain honest, had been committed against British subjects in any foreign country in the world, the people of England would long ago have declared war upon that country and have fought the battle to the last. If Ireland had had the misfortune to be such a country, a three-weeks' campaign would have swept her from end to end and martial law would long ago have reigned from the Boyne to Cape Clear. It is because Ireland is not a foreign country, and because its inhabitants have had the melancholy privilege of being British subjects, that the sufferers in the South and West of Ireland have been so long without relief. But when there is no longer room for self-deception in this matter; when the English electors see, as they will see, that loyal subjects of the British crown are being wronged and robbed by what will to all intents and purposes be a foreign government, — then I firmly believe that they will take heart of grace and will interfere on behalf of their countrymen in a way which cannot be misunderstood. The moment they do so, the Home-rule game is up.

H. O. ARNOLD-FORSTER.

LONDON, January, 1889.

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THE INTERNAL CRISIS IN FRANCE.

FOR Frenchmen, the spectacle which their country to-day presents is disconcerting; in the minds of strangers, it must awaken a singular feeling of wonder. A government without prestige, cabinets without firm backing, a heterogeneous and slippery majority, a divided opposition, an unbridled press, an uncertain and agitated public opinion, — such are the salient features of the situation for an observer whose mind is not clouded by party spirit or patriotic delusions. The very framework of the political edifice, the constitution, is violently attacked from all sides; and in the front rank of its assailants are its architects and its guardians. Of the two assemblies to which are entrusted the honor and the interests of the country, the one lacks force or courage, the other, caring much for its privileges and little for its duties, clamors when it should deliberate and overturns what it should reform. Men come into power before the public has had time to learn their names, and disappear so rapidly that they are remembered only by the damage they have done. At the apex of the state, as supreme director of its policy, stands a motionless figure, paralyzed by his surroundings, the helpless witness or accomplice of excesses. At one time, he abandons his post in irritation and disgust; at another, he is driven from it like a dishonest servant.

This painful first impression is not softened by a detailed examination of the springs and wheels of the political machine. The legislative power, which the National Assembly thought it had divided between two houses, belongs in fact to one. The Senate contains the few public men who still deserve the name of statesmen. The Senate has the best speakers, the least incompetent financiers, the truest representatives of that immense majority of the electors whom we call the peasants. In the Senate, the upper house, the constitution has vested the duty

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of controlling and the power of dissolving the lower house; and yet the Senate is nothing and the Chamber of Deputies is everything. It should be added that the Senate deserves to be nothing. It has not understood its mission, or rather, it has basely deserted its post. It was sufficiently shielded against the encroachments of the lower house; it was furnished, in certain directions, with complete authority; and yet it has prevented no abuse, it has averted no mistake. Sometimes, indeed, in moments of dread or indignation, it has refused to ratify unjust or unwise measures; but never has it persisted in its refusal. As soon as its attempt at resistance has awakened discussion, its resolution has wavered before the outcries of the deputies and the menaces of the press. It has negotiated, compromised, protested and finally yielded. Doubtless it has hoped, by an unbroken series of compromises, to assure its own existence, jeoparded whenever its enemies have discovered in its demeanor a shadow of independence; but it has only provoked its own destruction by demonstrating its uselessness. It has always yielded or been duped; and it has sunk, on the parliamentary stage, to the part of the confidant to whom no one listens, or of the garrulous old man reiterating idle platitudes.

The attitude of the Senate towards the executive power has been neither more dignified nor less unfortunate. But once has the executive requested the Senate to exercise the important power of dissolution — a power which might prove, if skilfully handled, the surest safeguard against unwise legislation. In this case the circumstances were such that the most ordinary prudence required the friends of the government to defend it against itself: to point out to it the perils of its proposed action and to hold it back at any cost. The Senate, with a majority composed of friends of the government, agreed to the extraordinary measure demanded, and precipitated the fall of those whom it sought to save. There is then no reason for astonishment that to-day the suppression of the Senate is freely discussed, and that the prospective destruction of one of the most important organs of the body politic awakens only that indifference which is the natural fruit of a blind and feeble policy.

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However low the Senate has sunk in the general esteem, the Chamber of Deputies has sunk still lower. This is perhaps due to the fact that more was hoped from it. The heirs of the great parliamentary tradition, the doctrinaires of the Centre, the old Republicans imbued with the spirit of 1789 and of 1848, and the younger men who aspired to play leading parts in a state rejuvenated by new institutions, the moderate and the ambitious, — all hoped to find, in an assembly chosen by universal suffrage and renewed periodically, the recognized organ of public opinion, the authority which should establish order and reconcile factions, which should find in its source the right and the power to oppose with success all attacks upon the constitution, and which, emanating from all, should govern for the good of all. The deputies, representing the general interest and the popular wishes, would be, it was hoped, the most faithful and living expression of the national will. They were expected to give to the government of the Republic that solidity, that infallibility and that perpetual youth which preceding forms of government had lacked. It would seem that men clothed with such power and entrusted with such a mission should occupy, in the public opinion, a position of singular dignity and consideration. Nevertheless, few men are to-day so abused, so little considered or so despised as the deputies. They have no respect for one another, not even when they are members of the same party. They cast in one another's teeth the gravest charges and prosecute one another in the courts. Their deliberations often degenerate into uproar, and on certain days the unprepared visitor might easily mistake the legislative chamber for a bedlam. At least nineteen-twentieths of the deputies are absolutely mediocre personages, skilful perhaps in their professions, animated probably by the most honest intentions, but totally ignorant of the affairs of government, of the real interests of the public, of internal administration and of foreign politics. Their ideas, like those of most uneducated persons about matters of which they know nothing, are preconceived and are maintained with the obstinacy of ignorance. They have read their history in violent partisan papers and have picked up their polit-

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ical experience in their clubs or in the cafés. They come into power with no other preparation for public business than the exercise of a private calling, revolving in their heads a multitude of projects which will not stand a moment's scrutiny, but which they believe destined to regenerate the world. They return to private life just at the moment when they begin to perceive that their reforms are worth a little less than what they have destroyed. Enlightened by experience, they would perhaps have grown wiser had they remained in power; but their constituents, electors or colleagues, as the case may be, enlightened also by experience, refuse them further confidence. Their appearance in public life has served only to confuse the situation and to aggravate the evils which they were sent to remedy. They go to swell the ranks of the disappointed and ambitious; pose as unappreciated statesmen; and devote their energies to obstructing the career of really eminent men whose superiority imperils their own return to power. The recovery of power is their single aim and the supreme motive of their conduct. The most active are the most influential. Intrigue takes the place of talent, *savoir faire* of knowledge, and phrase-making of eloquence. Each deputy makes himself the broker of his constituents; for, in order to be elected, he has piled up promises. Once chosen, he gives his support to the leader who will furnish him most plentifully with the means of retaining the good graces of his electors; that is to say, of paying them in favors, places, crosses or pensions. Under this system the credit of cabinets is quickly ruined and the treasury emptied. Is there room for astonishment that popularity deserts those who purchase it when they no longer have the means of payment? When they are abandoned and disgraced, they ought to blame neither their enemies nor the ministers nor the constitution nor the circumstances, but themselves alone. They have contracted engagements with their supporters which they knew they could fulfil only by selling their votes, that is to say, their consciences. When the tangibles are exhausted, and votes can no longer be paid for except in the depreciated money of reform bills, the poor deputy becomes bankrupt. Although, in most

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cases, he has derived no personal profit from his parliamentary traffic, he is dishonored and dragged in the mire by his political creditors. The sensational trials which have aroused so much excitement in France, and which almost resulted in an attack upon the Élysée by an indignant mob, have not made the public more indulgent. If those who are honest pay for the rest, so much the worse for the honest. The mob does not distinguish. It confounds in one and the same anger and indignation the culpable and those who have not dared to break with them.

Does this portrait of the representative body seem overdrawn? One of Gambetta's colleagues and most faithful friends has passed upon the members of his own party a judgment at least equally severe. On the 19th of December, 1888, M. Challemel-Lacour said, in the Senate:

> We have seen candidates condemned, in order to win and keep their constituents, to the necessity of outbidding one another in promises. We have seen their programmes growing indefinitely longer, embracing all political, social and financial questions, even religious, yes, even metaphysical questions. We have seen deputies, elected on these programmes, come to the Chamber with the fixed purpose, the firm resolution, of overturning every cabinet, without regard for the interests and tranquillity of the country, until they find one bold enough, or servile enough, or simple enough to undertake the discharge of their engagements.

Against the mischievous tendencies of such a parliament, the head of the state ought surely to be able to interpose a conservative barrier and protect the common welfare. The constitution places at his disposal two means of doing this: the right of asking for a second deliberation of those laws which he considers injudicious, and the right of dissolution which he exercises with the consent of the Senate. The first of these means is a mere temporary check without real value. The second, since so deplorable a use was made of it on the 16th of May, 1878, is in bad odor. The Senate knows it would risk its existence should it repeat the experiment. The President fears that new elections would be unfavorable to the Republic and to himself; so that all he can do is to intrigue against his own minis-

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ters or remain a passive spectator of events which he deplores. The example of his predecessors is not calculated to increase his courage nor add to his prestige. The first wrecked himself upon the National Assembly; the second succumbed in a struggle with popular opinion; the downfall of the third was the most melancholy of all. It was degrading and ignominious. It marked the first magistracy of the state with an indelible stain. Thiers and MacMahon withdrew with dignity after a struggle of a purely political character, carrying with them the esteem of their partisans and of their adversaries. Grévy was brutally deposed, as unworthy, by the almost unanimous voice of his former friends. The irresponsibility of the President was the only force left him, and a movement of disgust on the part of the parliament, accompanied by a quiver of the mob, sufficed to deprive him of this last vestige of greatness.

The executive power, enervated and discredited in its head, is weakened in all its remaining organs. Cabinets crumble one after another. Ministers remain in place only because it is difficult to find successors for them. A chance combination draws them an instant from obscurity; another combination throws them back into nothingness. When, after a crisis, the list of the members of a new cabinet appears in the *Journal Officiel*, the names of those appointed hardly stimulate questions. Formerly, people felt an interest in knowing who they were, where they came from, what services had secured them the honor of taking part in the affairs of government, what special merits had pointed them out for such and such portfolios. To-day curiosity itself is weary. The president of the council alone attracts a moderate degree of notice. Since the death of Gambetta, no public man, except perhaps M. Jules Ferry, has succeeded in arresting public attention, and only General Boulanger has had the knack of advantageously engrossing it. The heads of factions, the few men who might be called party leaders if there were any parties left and if they were willing to be led, accept with repugnance the burden of power. They work in the dark, prophesy in the papers, speechify in the lobbies, pose in the Chamber, or grow fat in a dignified sinecure. They seek

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to acquire the greatest possible influence and to assume the least possible responsibility. They stimulate with favors the zeal of their partisans, wheedle the dissenters, and coquet with their adversaries. In all parliamentary countries such strategy has but one object: to wrest the reins of government from the party in power and drive the state in one's own way. In France the case is altogether different. Ten years of party misrule have so exhausted the state that cabinet positions are no longer desired. The sole object which attracts the party leaders is the presidency of the Republic. To obtain it they must allay suspicions, soothe susceptibilities, encourage second-rate ambitions, corrupt the needy and, above all, keep silent. For, among all these men who are aiming at supreme power, there is not one who possesses sufficient eloquence or deep enough convictions to speak without diminishing his chances of success. In consequence of the repugnance which moderate men feel for political conflict, all the high places in the state, all the branches of the administration, have been little by little invaded and appropriated by the least admirable element in the Republican party. The governmental staff illustrates the truth of the remark in a striking manner. We find at the head of the treasury department a clock-maker or an apothecary, while the departments of commerce and agriculture were recently under the direction of a *vaudevilliste* whose racy productions afterwards procured him the department of public instruction. A physician and a professor are chairmen of the military commissions, and an advocate watches over the destinies of the colonies. At the head of the war department is an engineer, who before had cheerfully assumed the direction of foreign affairs. No surprise is now felt at seeing the weightiest interests entrusted to the most inexperienced and least scrupulous hands. Scandalous bargains and shameless alliances are found natural. It has become an ordinary thing to see ministers supporting with their votes and encouraging with their applause the returning spectres of the Commune.

The subordinate officials of all grades reflect as little honor as the ministers upon the administration of which they form a

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part. Carefully chosen among the most fervent devotees of the Republican system, trained by their superiors in the parts assigned to them in the anti-Conservative and anti-Clerical campaign, strictly watched in each department by the cabal of local Warwicks, they know that their advancement will be in proportion to their zeal in the work of propagandism, and that they must keep by intolerance what they have gained by intrigue. They must be electoral agents first of all, and administrators afterwards. To please influential deputies is the first article of their creed; to discredit, betray, and supplant their hierarchical superiors who are suspected of "moderatism" is the second. To make stepping-stones of favors granted and of acts of injustice committed; to bend the back as low as possible before the high priests of the radical faith; to domineer over the members of the dissenting sects; to pursue with unrelenting animosity, even in their private life, recalcitrant voters; to enforce against dangerous adversaries the most rigorous provisions and the harshest construction of the law; in a word, to show themselves servile towards the powerful and hard towards the weak, — such is the A B C of the model official of to-day. The public servant who disregards these partisan rules of action pays for his awkwardness or his independence with his place. No administrative machinery, however solidly constructed, however strong and supple its parts, can long resist such disintegrating use. French administration, without being irreproachable, stood until recently in exceedingly good repute. It passed for honest, economical of the public revenues, sufficiently considerate of private rights, slow perhaps, but diligent. Such an administration no longer exists. All those who belonged to it, and who have not laid their scruples on the altar of uncompromising radicalism, have been thrown as a sacrifice to the Republican Moloch. Danton said, of the first Republic, that, like Saturn, it devoured its own children. The third Republic has consumed more men than its famous predecessor. It has not cut off their heads; it has done a more impolitic thing: it has ruined them. Dead men occasion little inconvenience; but people reduced to poverty become implacable

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adversaries. For a government whose basis of principle and form of organization are contested by nearly half the nation, thus to reinforce the opposition with a famished following is a measure not of defence but of suicide.

The Republican proscription — "purification" the party press calls it — has been applied not only to the higher state officials, but to all ranks and branches of the public service. From prefect to county policeman, from councillor of state to justice of the peace, from ambassador to vice-consul, all functionaries suspected of lukewarmness have been discharged. Those whom the character of their office made irremovable have not escaped the common lot. Their irremovability was suspended for a few months, and during these months they were swept from their places. From the so-called "public" competitive examinations candidates not in favor have been excluded. In this way, by force or subterfuge, those in power have hoped to create for themselves a docile body of officials. But the ministers who invented the "purification" were, in their turn, expelled from power; and with each set of new ministers has come a new set of followers who have to be satisfied. All the places being already taken, it has been found necessary to create vacancies, either by sacrificing new hecatombs or by prematurely pensioning men in the prime of life. As the life of a cabinet is scarcely longer than that of a rose, the shocks and disturbances to which the civil service of France has been subjected are easily imagined. Old Republicans have been laid aside like mere Conservatives, and faithful servants have been obliged to give way to young recruits of more advanced opinions. Confidence in the future has vanished; loyalty is shaken; each incumbent, to keep himself in place, turns towards the rising sun. Instead of a united, devoted and obedient personnel, the government has a servile, but discordant and untrustworthy service.

As a necessary consequence of servility and proscription, corruption has appeared. Of all moral delinquencies this is the one which the French are least disposed to pardon. The nation will not permit its trusts and its honors to be converted into money. When it supposed that the gangrene had reached

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the very head of the state, when it was told that the Élysée had been turned into a shop and that the prizes of honor and of heroism had been sold to the highest bidders, it raised a cry of indignation; a cry which still pursues the principals and the accomplices of this shameful traffic even in the obscurity in which they have taken refuge. The name of the chief culprit has become the synonym of corruption: to call a man a "Wilson" is to provoke a demand for satisfaction. The Wilson and Gilly trials will be counted among the most lamentable scandals of French history. This is a kind of humiliation which a people does not pardon.

Thus, from whatever point of view the present governmental system is examined, the result is disheartening. Even among the ministers, naturally inclined to believe in the vitality and duration of their authority, there are symptoms of imperfect confidence in themselves and in the future. The *lois d'exception*, the banishment of the princes, the retirement of a soldier whose presence in the army was the best pledge of his faithfulness, the projects of constitutional revision, the changes in the electoral system, the furious campaign of reciprocal denunciation and defamation carried on by the different groups of which the majority is composed, are so many sure indications of a state of mind which is perhaps something less than terror, but which is surely something more than uneasiness. Nowhere, neither in the presidency of the Republic, nor in the Senate, nor in the Chamber of Deputies, nor in the council of ministers, nor in the administrative service, is a firm basis for the state or an effective rampart against rash innovations discoverable. The state at present has but one master — public opinion.

Public opinion, like all absolute rulers, has in it something of the impenetrable. Until the ruler chooses to declare himself, his purposes are enveloped in mystery. In seeking to anticipate them, the courtier runs the risk of provoking the master's anger or contempt; while a prudently passive and expectant attitude may entail disdain and oblivion. Like all absolute rulers, again, public opinion has its favorites; it is subject to sudden caprices and inexplicable fascinations. Its favor is

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sometimes won by flattery; sometimes by brutality. More exacting and less merciful than ordinary monarchs, it has no consideration for the weak, no pity for the awkward. Like the Sphinx, it tears to pieces those who cannot read its riddles. To-day, some discern the long-awaited Œdipus in a plumed officer whose life has been a series of lucky challenges to fortune. The approaching general elections will assure his triumph, or throw him back into obscurity. Let us glance rapidly at the actual state of public opinion in France and see, if we can, who is likely to captivate the Sphinx.

France celebrates this year the hundredth anniversary of her great revolution. 1889 will certainly not fill so large a place in history as 1789. It will not turn Europe upside down. It will not give the signal for the overthrow of thrones and the butchery of peoples. It will not bring upon the stage one of those masters of men in whom the destinies of nations are merged and embodied. Nevertheless, the year will be a memorable one for France, for in it she will be called upon to choose between the numerous forms of government under which she has lived during the last century. Theoretically, the elections of 1889 will have nothing of the character of a *plébiscite;* but in fact they will constitute an appeal to the nation on the question of republic or monarchy, of parliamentary or personal government. Since the tragic rupture of France with the Bourbons, no government has been able to maintain itself twenty years. Whether they have succumbed beneath the weight of their mistakes or in consequence of irrational popular impulses, all have gone down, whirled off in riot, without having existed long enough to prove their intrinsic value. All ascribe their fall to a factious minority, and claim the right to appeal to the sober second judgment of the people. If these incessant changes have had deplorable consequences, if they have been the prime cause of disorganization at home and loss of consideration abroad, they have at least furnished the French people with singularly complete data for determining their choice. The absolute monarchy under the Bourbons; demagogy under the Convention and the Directory; Cæsarism under Napoleon I; the lim-

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ited monarchy in various forms under Louis XVIII, Charles X and Louis Philippe; democracy from 1848 to 1852; the plébiscitary empire under Napoleon III; and lastly the parliamentary republic from 1871 to the present moment, — all the different systems advocated by statesmen, by philosophers, and even by dreamers, have been tried each in its turn. None has stood the test. Down to 1870, those to whom no form of monarchy was satisfactory, and those who made a business of opposition declared that the Republic alone was capable of giving to France the stability so long and so vainly sought. From 1870 to 1875, these same persons, unable longer to lay the blame on personal power, proclaimed that the Republic indeed existed, but without the Republicans; that the real power was exercised by monarchists under the name of Conservatives; and that, until the Republic came into the hands of the true, the only genuine Republicans, the nation would drag out a miserable existence in servitude and sterility. Ten years have passed since the "true" Republicans made themselves absolute masters of the state. During these ten years every fraction of their party, from the Left Centre to the Extreme Left, has held in turn the reins of power. The experiment may therefore be regarded as complete; for I do not imagine that the most decided partisan of the Republic would insult her by proposing that the Commune be tried once more, on the plea that this system of government has not yet had a fair chance. What has been the result of these ten years of Republican government? What are the manifestations of public opinion which may help us to forecast the result of the elections of 1889?

Let us limit ourselves, at the outset, to simple statements of fact. There does not exist, either in the government or outside of the government, a party important enough to dominate the others. The Republicans, held together under one standard until 1881, are to-day divided into several groups which make war upon one another without mercy. The hatred they inspire in one another is so deep that it is not affected even by the common danger of dictatorship. They have different ideals of government, conflicting platforms, and irreconcilable tendencies,

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sympathies and affinities. They refuse to make the slightest concession one to another. They attack one another bitterly during the elections, and exhaust themselves in fighting one another in the parliament.

The Left Centre, the party of Thiers, has almost entirely disappeared. Crushed in the elections of 1885, it scarcely has more than one real representative in the Chamber, M. Ribot.[1] This moderate party, which drew its membership from the intellectual élite of the country, and which still numbers among its adherents some of the most justly honored men of our time, has encountered the usual fate of all moderate parties which, in troublous times, preserve the purity of their convictions, remain faithful to their principles, and are unwilling to stoop to dishonorable alliances. Its independence is considered absurd, and its sensitiveness is turned into ridicule. The Republic owes to this party its establishment, and its acceptance by many persons who would have preferred a different solution; and yet this group now plays the least prominent and least important part. Its voice is heard from time to time in eloquent protests against blunders which its influence is insufficient to prevent; but however painful to national pride the confession may be, I am forced to admit that the weight of this party in the elections of 1889 will be practically *nil*.

"Opportunism," also, has lost the decisive influence which it so long exercised; but this result is certainly due neither to the inflexibility of its principles nor to its repugnance against doubtful alliances. Created by Gambetta, whose spirit animates it still, although feebly, it was for several years all-powerful. To-day it has neither leader, programme, nor prestige; and it has fallen under the yoke of radicalism, from which it pretends to be distinct, but which it upholds and serves. Since M. Jules Ferry — the leader whose fortunes the Opportunists followed until fortune ceased to smile on him — was precipitated from power by the news of the retreat of Bac-Lé, the flag of this party, spotted by the Tonkin enterprise, is hoisted

[1] He was elected by the aid of the Right; *i.e.*, of the Conservatives, who wished to pay tribute to his great talents and noble character.

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timidly. Fearful of sharing the disgrace of men grown unpopular, the Opportunists deny or shun their former chiefs without choosing new ones. They lean now to the Right and again to the Left, but much more frequently in the latter direction. They are still sufficiently numerous to turn the scales should they all lean in the same direction; but as each member follows his own leadership, their divisions and hesitations render them of no account in the Chamber. In the country they have lost consideration. They are accused of having used their power exclusively in the interests of their own party; of having corrupted the administration by favoritism, ruined the finances of the state by lavish colonial and educational expenditures, jeoparded the national defence by distant and unpromising expeditions, and drawn down upon the Republic the hatred of the religious element by useless persecutions. All these accusations were as true in 1885 as they are now; but they did not prevent the Opportunists, in the elections of that year, from retaining the greater part of their seats. They maintained themselves through the support of the office-holders, almost all of whom had been appointed by Ferry and his friends. In 1889 their chances are not so good. The majority of the offices are in the hands of the Radicals; and the intervening four years have only increased the unpopularity and the weakness of Gambetta's old party. Its fragments, washed to and fro between the Radicals and the Conservatives, will scarcely unite again into a form sufficiently solid to offer a real resistance to the waves of the approaching storm.

The Radical party is better armed for the struggle. Whether it keeps the power now in its hands, or succumbs in the Chamber to a coalition of moderate Republicans and Conservatives, it will go before the electors with great chances of success. During the last few years it has covered the country with its agents, stirred up the discontented against the Opportunists, and turned to its own advantage the mistakes made before its day. The electors who are faithful to Republican ideas have become accustomed, little by little, to consider the Radical party as the true trustee of the great republican tradition, as

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the predestined saviour of the menaced Republic — and therefore, too, as the future dispenser of favors. This last belief suffices to draw to this party all those who care less for good government than for their personal advantage. It is true that having promised everything and, up to the present time, performed nothing, the party will be not a little embarrassed to explain to the electors that inactivity which was in its eyes the capital crime of its adversaries. But it puts forward two excuses: first, "Boulangism," face to face with which it is wise to avoid irritating discussions which might easily lead to schism; and secondly, the Senate, the incorrigible Senate, whose senile obstinacy forms an insurmountable obstacle to the most innocent reforms. It would hardly be expected that such an accusation should be directed against a body whose weakness and inertia, when confronted with the pretensions of the other house, have passed into a proverb; but nevertheless the accusation is made. If France languishes; if manufacturing is hazardous and agriculture moribund; if the finances are disordered and if Boulangism agitates the masses, — the Senate, according to the Radicals, is the cause of all these ills. According to them, therefore, this obstacle must be removed, or rendered harmless by an infusion of new blood. In other words, the senators must be chosen by universal suffrage; and, as there will then be no further reason for the existence of the Senate, since it will have the same origin and the same attributes as the Chamber of Deputies, it will be merged with the latter in a Convention, or it will simply disappear. The President of the Republic, with his right to dissolve the Chamber, is another obstacle. He also must be re-baptized in direct universal suffrage, or suppressed. Then only, upon ground thus cleared, will radicalism be able to erect upon solid foundations the ideal edifice it has in mind. Then only can be accomplished those mighty works, those philanthropic reforms, which are destined to make of France an Eden, or (for the Radical metaphors vary) a beacon which shall illuminate the world with the rays of liberty, equality and fraternity. This is a beautiful dream. But if we disregard these intentionally vague assur-

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ances and judge the whole Radical scheme by the parts whose realization is to-day proposed to us, we may be pardoned for considering that scheme a deceptive mirage. The military and financial bills, which MM. Floquet and Clémenceau or their followers have introduced, are a farrago of dangerous absurdities which seduce no one. If the deputies vote them, it is simply for show; for the opportunity of telling their constituents that they have done something; and perhaps also in the hope, scarcely concealed in certain quarters, that the Senate will reject the measures.

This is enough to convict the Radicals of weakness and double-dealing. The most advanced members of the party are breaking away from it, to join, on the benches of the Mountain, the anarchists, the revolutionary socialists — and even the former members of the Commune: rebels in the face of the enemy, assassins of hostages and incendiaries of Paris; whose presence in a deliberative body is a disgrace which decent Frenchmen did not believe awaited their country. However painful such a statement may be, it must be acknowledged that the Communist group in the Chamber is an element with which cabinets reckon, negotiate, and make compacts; and that in certain elections the Communists play a decisive part. In 1872 no one would have dared to predict so ignominious a state of affairs. Since that time the public conscience has been strangely blunted, and the audacity of the Communists has increased in proportion. Let us hope that France will be spared the last disgrace of seeing M. Félix Pyat or M. Cluseret on the ministerial benches.[1]

If we attempt to draw a conclusion from this rapid sketch of the groups which form the governmental majority, we see that

[1] The following proclamation, issued December 30, 1888, by MM. Cluseret, Ferroul, Planteau and Félix Pyat, deputies; by a number of former members of the Commune and municipal councillors of Paris, will give an idea of the energy with which the Communists are pressing their cause:

"Depuis la Commune de 1792, le plus grand acte révolutionnaire a été la Commune de 1871.

Tout homme et tout parti doit être jugé sur la part qu'il a prise dans ce grand fait de la Révolution.

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since 1885 none of these groups (save that whose triumph, still fortunately improbable, would be the most irremedial catastrophe which could overtake a nation) has gained ground in an appreciable degree, and that one of the chief among them has notably fallen behind. On the other hand, if we examine the result of the partial elections of 1888, we find that the number of votes given to candidates of the anti-constitutional opposition has largely increased, and that the number of those who abstain from voting has steadily risen. In 1881, the Republicans obtained 4,800,000 votes, and the Conservatives only 1,800,000. In 1885, the Republican vote fell to 4,200,000, while that of the Conservative Union advanced to 3,500,000. In 1888, in spite of open official pressure, the departments consulted gave enormous majorities to candidates openly hostile to the government. At Marseilles and in the Var the successful candidates are indeed Republicans, but Republicans of such advanced opinions that their victory is a serious check for the cabinet; and it is to be remarked that their total vote hardly exceeded one-fifth of the registered electors. The immense majority did not take the trouble to vote. And finally, as far as we can judge by comparing the accessible statistics (which are unclear

La Commune de 92 a sauvé la nation par sa victoire; la Commune de 71 a sauvé la République par son sacrifice. Aujourd'hui, même danger, même salut! La Commune du centenaire sauvera la nation, la République et la Révolution.

Le peuple actuel de Paris l'a reconnu par sa manifestation du 2 décembre; son principal cri a été: 'Vive la Commune!' C'était bien la Commune vivante, la Commune révolutionnaire socialiste passant entre deux morts; le radicalisme et le boulangisme.

Comme Paris, Marseille l'avait compris dans sa dernière réunion faite au même cri: 'Vive la Commune!'

Le Var a suivi Marseille . . . et la France entière sait déjà que la Commune seule est assez forte pour vaincre l'ennemi sous sa triple forme: royale, cléricale et patronale; que la Commune est la base naturelle et rationnelle de la République. Robespierre tue la Commune et fait Bonaparte; Cavaignac tue la Commune et refait Bonaparte; M. Thiers tue la Commune et voilà Boulanger.

Pas de République sans Commune; la Commune est la petite République comme la République est la [grande] Commune. . . .

La leçon des élections passées; l'imminence de la crise intérieure et extérieure; la gravité des périls: Usurpation, invasion et restauration; la manifestation de Paris; tout impose à tous le devoir de ralliement au principe qui divise le moins: la Commune! . . ."

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and invariably partisan), the municipal elections which took place throughout all France in May, 1888, transferred a considerable number of municipal councils from Republican to Conservative control. This, if true, is a very important fact; for, aside from the movement towards the Right which it seems to indicate, it assures to the Conservatives, in the communes which they have carried, an honest enforcement of the election laws, scandalously violated in 1885.

All these results indicate the dissatisfaction of the public with the existing system of government, or at least with the men who for the last ten years have been at the head of affairs. To whom will this dissatisfaction bring profit? What parties are ready to seize the inheritance?

The Right embraces all the champions of the monarchic idea, banded together in one common aim: the overthrow of the Republic. Former Legitimists, Orleanists and Imperialists; admirers of personal power, advocates of parliamentary monarchy and partisans of the *plébiscite;* one and all have, for the moment at least, forgotten their ancient quarrels and their ancient wrongs to form a league called the *Union conservatrice*, which is a perpetual menace to the existence of cabinets. Every member of this Conservative Union preserves his principles and his hopes. The Monarchists, properly so-called, are preparing the way for the Count of Paris, whom they already call Philip VII; the Bonapartists are contending, one faction for Prince Jerome, another for his oldest son, Prince Victor. All appear to have abandoned the dream of a restoration by force. This idea, at one time cherished, had the effect of alienating prudent and law-abiding persons. The decision of the contest is to be left with the electors. The members of the Conservative Union have established, under the name of the *Ligue de la consultation nationale*, a central committee, charged with the organization of an active propaganda throughout France and the management of the machine with which they expect to overthrow the Republic. Difficulties and quarrels are of course inevitable among men of such different traditions and principles; but their recollection of the disasters occasioned by past discord is so fresh,

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and their hatred of the Republicans is so intense, that their union will probably endure in spite of minor dissensions. If the Conservatives keep a united front, their attack will be formidable. The strong position they already occupy, the high personal character and influence of their chiefs, the divisions in the ranks of their adversaries, and the discontent prevailing throughout the country will give to their assault upon the Opportunist and Radical lines a vigor as yet unsuspected.

For the first time in the last twelve years, the Conservatives will not go into the fight alone. With them — or, to put it more accurately, at their side — marches another army, whose existence was not foreseen a year ago, which has been formed spontaneously, and which, in the space of a few months, has assumed prodigious proportions. A soldier whom no especially heroic or fortunate feat of arms placed above his brother officers, in whom nothing indicated superior political capacity, revealed to the crowd by a song in a *café-concert*, has found himself almost in an instant the idol of the populace. Terror-stricken at his ambition and his popularity, the government resolved to strike the danger at its root. In its haste to get rid of a rival, it has thrust greatness upon the man whom it sought to destroy. It has given to its own conduct the appearance of persecution. Instead of punishing General Boulanger's infractions of military discipline with purely military penalties, instead of binding him to the army in such a way as to make his appearance in the field of politics impossible, it drove him from his command and pushed him into the arena of party conflict. It was only necessary for General Boulanger to appear as the victim of opportunism to become at once the universal candidate of the dissatisfied. In the departments which the Conservatives did not think themselves able to carry without assistance, they have covertly incited the general's candidacy and given this candidacy their support. Their vote, swelled by the ballots of disappointed Republicans, was expected to secure him an imposing majority. They cared little that the nominee was not of their own party; their chief object was to inflict a defeat upon the government. They have succeeded far beyond their hopes. In the Nord, Somme, Dor-

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dogne, and in the Charente, the government has suffered overwhelming reverses.[1] General Boulanger's path has been a series of ovations. Enthusiastic crowds have unharnessed his horses and drawn his carriage. He has been greeted with such frenzied acclamations as the French soldier hears in his dreams when he triumphantly enters a reconquered city.

And yet this man, as his most active friends concede, has done nothing and said nothing which would have earned another man the slightest triumph. On the contrary, his irreconcilable statements regarding his letter to the Duc d'Aumale, the undeserved severity with which he treated the princes when minister of war, the lack of parliamentary skill which he displayed in the famous sitting which preceded his duel with M. Floquet, and his breaches of military discipline were little adapted to win the sympathy of the people. Yet the tide of public sympathy, contrary to every reasonable expectation, has steadily risen and threatens to flood all France. Exasperated to the last degree by a triumph which seems so extraordinary, the supporters of the ministry raise the cry of dictatorship. They call up the shade of Cæsarism and the memories of the 2d of December. They compare the Boulangists to bulls that rush blindly upon the red scarf without seeing the sword of the matador. Prophetic warnings, insults and declamations are words spoken in the desert. The adherents of the government would act more wisely in examining themselves: they would find in themselves the causes of what they declare inexplicable. Boulangism is the expression of the general disgust with the Chamber and with the parliamentary system. By their petty acts and braggadocio speeches, their egoism and their extravagance, the deputies have made themselves so odious that the man who proposes to sweep them away is hailed as a liberator. The programme of "Dissolution, Revision" has become the standard of the great army of the discontented, who see power in the hands of men engrossed in their private interests and careless of the welfare of the country. "Drive the money-changers from the

[1] Since this article was written, General Boulanger has carried Paris by an unexpectedly large majority. EDS.

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temple! Anything rather than the present government!"—such is the cry which echoes everywhere. Will the work of purification profit the Republic, the pretenders, or the purifier alone? This is precisely the question which General Boulanger does not answer; but the question seems to cause his disciples little concern. The lack of foresight exhibited by these reformers may be deplored, but it cannot be denied that there is reason for their indignation.

I have tried to exhibit, in their main lines, the state of opinion and the elements of the political crisis in France. It is not possible, in the space allotted me, to analyze in detail the causes of the troubled condition of the public mind, of the disarray of parties, and of the disfavor which attaches to the Republicans properly so-called. To do this, would be to write the history of the third Republic. But I may at least indicate some of the chief causes of the present state of things.

After the failure of the *coup de tête* of the 16th of May and the resignation of Marshal MacMahon, the victorious Republicans saw opened before them a brilliant career. Masters of both Chambers and of the presidency of the Republic, strong in the flattering proofs of confidence which the electors had just given them, their first thought should have been to utilize the current of opinion which had borne them into power: to complete the conquest of their routed enemies, and to establish the Republic, up to that time a subject of discussion, upon a firm and permanent basis. To disorganize the monarchical parties by skilfully inciting the defection of their followers; to rally waverers about the Republican standard; to pacify and reconcile all hostile and distrustful elements; to present the Republic as a government open to all and really free from the spirit of sect, and thus to bring out its superiority to the other systems which it undertook to replace,—such was the patriotic programme which the situation suggested. The victors adopted an exactly opposite policy. So vindictively did they make their conquered opponents feel the weight of their victory that the latter saw that it was no longer with them a question of submission, but of existence. In a land where religious

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toleration was supposed to be definitely established, where nineteen-twentieths of the population is Catholic, where the clergy enjoys a well-earned respect, the Republicans adopted as rallying cry the savage phrase of Gambetta: "Le cléricalisme, voilà l'ennemie!" The word clericalism became a sort of anathema, equivalent, for those against whom it was hurled, to a sentence of outlawry from the new society. An office-holder suspected of frequenting the churches was half ruined, and the maintenance of friendly relations with priests was looked upon as a species of treason. Old laws, forgotten if not abrogated, were revived and enforced against religious associations. Convents were assailed with all the implements of a siege; sanctuaries were violated; serious disturbances broke out, and it became necessary to employ troops. Charitable associations of women received no greater indulgence than the congregations of monks. The Little Sisters of the Poor, whose boundless self-sacrifice and sublime charity are the object of universal admiration, were expelled from the asylums where they consecrated their lives to the care of the infirm and the sick. The salaries of the priests who did not approve of these measures — salaries guaranteed by concordat — were withheld from them. All these severities were useless: the dissolved congregations reorganized themselves *de facto,* and the administration had not the courage to proceed to a second expulsion; the prestige of the priests increased with persecution, and quickened public charity returned what the government had taken. The war harmed only its authors. It only widened the gulf which separated the parties before the 16th of May, and led many people to regard the Republic as a government of intolerant atheism.

However sensitive a man may be in respect to his religion, he is hardly less so as regards his money; and the latter sentiment is far more universal: there are men who care nothing for religion, but there is no one who does not cherish a jealous regard for his purse. The purse of the French tax-payer has been subjected to trying experiences. It was patriotically opened in 1871 to pay the expenses of the war; it is still opened widely to put France in a state of defence. Redoubled

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labor and energy and the strictest economy made it possible to repair the breaches in the financial system. Revenues flowed in so freely that there was talk of lightening a little the enormous burden of taxes thrown on the shoulders of France after her disasters. When the Republicans came into power they found a surplus in the budget. The idea of the profit which they might draw from this prosperity was too seductive to be resisted. They hoped to win the attachment of the populace by effecting reductions on a large scale, and by undertaking the execution of a gigantic plan of public works. They launched out recklessly in a series of expenditures decorated with the name of safe investments. They began to construct railroads, to dig canals, to build school-houses and to found colonies. The ordinary receipts were no longer sufficient for the needs of so many and so vast enterprises, all begun at the same time. Recourse was had to short loans, and then to consolidated loans. It was money well invested, we were constantly told, which would pay one hundred per cent interest. It was the fortune of the coming generation. Unhappily, years passed, and the enormous capital expended continued to be unproductive. On the other hand, a very natural phenomenon was observed. The state guaranteed a certain interest to the railroad companies, and became bound to pay out each year a certain sum on this account. When it dug rival canals, it forced the railroad companies to lower their tariffs in order to compete with these new lines of transportation. This caused a deficit in the budgets of the companies which the state was obliged to make good. In constructing new railroads, it competed with itself as a canal owner. So the state paid out with both hands; and the more it built and the more it dug, the more it paid. Then came the Tonkin war, in which many hundreds of millions of francs were engulfed. Then came bad crops, commercial and manufacturing crises and the destruction of vineyards by the phylloxera. These scourges entailed a general impoverishment of the country and, of course, diminished the revenues from taxes. With expenses constantly increasing and receipts falling off, the deficit has swollen to an enormous sum. The state,

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having sacrificed everything to ostentation and vainglory, has no money left for useful, or even for necessary expenses. For want of a little timely succor, agriculture is in the sorest straits and certain manufactures are dying. The government is not held to account for all the divers plagues that have fallen upon France; but it is held responsible for having made no attempt to mitigate their results while it was pouring out money in permanently sterile enterprises. The peasants have lost confidence; tradesmen are discouraged; landed proprietors, eaten up with taxes and deprived of their revenues, are irritated. All these are so many recruits for Boulangism.

In the mind of its authors, the great scheme of public works, which is to-day so universally condemned, was in part intended to win the workingmen. At the outset, wages in fact rose; great activity reigned in the workshops; masses of young men deserted the country, where the work is hard and the pay poor, to sell their labor to the contractors at a higher price. The elections of 1881 showed the influence of this fever. The workmen voted for the Republic. With the deficit and the slower prosecution of public works came a fall in wages, and want of work threw a multitude of laborers into the street. Some, a small minority, returned to the fields; a few others emigrated; the greater number took refuge in Paris and went to swell the ranks of the anarchists with ready rioters. So in this direction, again, the government has missed its aim. The men whose interests it sacrificed to its electioneering plans have become perfectly irreconcilable; and the men to whose advantage it subordinated every interest of the country are furious now that the means of satisfying their appetites have disappeared.

These are the chief, but not the only grounds of popular disaffection. The laws concerning public instruction let loose storms which are far from having blown over. The government's foreign policy alone might furnish matter for a volume of recriminations. The few points upon which I have touched suffice to show that many feelings have been wounded, many interests compromised, many passions aroused; and that the

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existing discontent, which threatens to overthrow the Republic, is not due to the caprice of a thoughtless nation nor to a mysterious fatality. The acclamations with which General Boulanger is received when he appears in public are something more than the cries of idlers and fools. They express the rancors of the disappointed, the appetites of the unsatisfied and the hopes of the ambitious; and perhaps also the anger of a better sort of men — men who are disheartened at witnessing the ruin and degradation of a country which had raised itself to dignity and prosperity after one of the most terrible and complete catastrophes recorded in history.

France is a liberal country. She has a horror of persecution, and a loathing for the spoils-system, for the sale of offices and of men. Her greatest excesses have resulted from a too fervent devotion to the abstract principles of liberty and equality. She has been the dupe of men who have exploited her under the pretext of serving her, as she has been the victim of nations whom she had aided to free themselves. Accustomed for centuries to follow the lead of a single guide, she has a tendency, after her most terrible crises of independence, to return to her monarchical traditions. No sooner is she freed from the domination of those whom her flatterers call hereditary tyrants, than she throws herself gratefully into the control of her pretended liberators. To-day she perceives that instead of one master she has six hundred, in whom flourish at the same time all the vices of all the sovereigns who have reigned since St. Louis. In vain do the old-school parliamentarians and the moderates supplicate her to choose wiser representatives; the Chamber continues to be filled with fanatics and iconoclasts. Which of these two classes is likely to prevail? Some of the fanatics have proposed to punish with death those who speak of changing the form of government. But we need not take these persons seriously. The man who demands a head only makes men shrug their shoulders. There is less inclination to proscribe than to recall the proscribed. The Opportunist press already demands the return of the Duc d'Aumale. Is it their plan to oppose this type of honor and courage to General

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Boulanger? Of all the fragments of the monarchic wreck, the Duc d'Aumale is certainly the most illustrious. It is natural that the moderate Republicans, saddened by the past and alarmed for the future, should think of effecting an honorable concentration upon the conqueror of Abd-El-Kader, the heir and historian of the Condés, the academician and donor of Chantilly, the prince always respectful of the national will.

France longs only for repose, at home and abroad. She is frightfully weary of the harangues of her deputies and of the agitations of her petty great men. She is searching for the arbiter of her divisions. She may be infatuated with the first adventurer who presents himself, without asking whether he will prove to be a Monk or a Cromwell. She will choose more worthily if a worthier offers himself. The electors of 1889 will be judges of their own cause. Their elected representatives, entrusted with the termination of a complicated crisis, will do well to remember their forerunners of 1789. Let us hope that with equal nobility of aspiration they will possess more foresight.

A. GAUVAIN.

PARIS, January, 1889.

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THE BALLOT IN NEW YORK.

IN the first constitution of the state of New York, we find a provision which should be carefully read and pondered. By that provision the people of the state authorized an experiment to be made of voting by ballot. Grave doubts were entertained as to the consequences of the innovation.

> And whereas an opinion hath long prevailed among divers of the good people of this state that voting at elections by ballot would tend more to preserve the liberty and equal freedom of the people than voting *viva voce:* To the end, therefore, that a fair experiment be made, which of these two methods of voting is to be preferred —
>
> *Be it ordained,* That as soon as may be after the termination of the present war between the United States of America and Great Britain, an act or acts be passed by the legislature of this state for causing all elections thereafter to be held in this state for senators and representatives in assembly to be by ballot, and directing the manner in which the same shall be conducted. And whereas it is possible that, after all the care of the legislature in framing the said act or acts, certain inconveniences and mischiefs, unforeseen at this day, may be found to attend the said mode of electing by ballot:
>
> *It is further ordained,* That if, after a full and fair experiment shall be made of voting by ballot aforesaid, the same shall be found less conducive to the safety or interest of the state than the method of voting *viva voce,* it shall be lawful and constitutional for the legislature to abolish the same, provided two-thirds of the members present in each house, respectively, shall concur therein.[1]

The experiment of voting by ballot for governor and lieutenant-governor was tried in 1788,[2] with such success that, nine years after the introduction of this system, it was extended to the election of members of the legislature.[3] The only requirement in these acts relating to the form of the ballot was that it should be a paper ticket, containing in writing the names of

[1] N. Y. Constitution of 1777, art. vi. [2] Act of March 27, 1788, chap. xvi.
[3] Act of February 13, 1797, chap. xv.

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the candidates for the several offices. The purpose of these laws was to secure secrecy at elections.

Since their passage, the political institutions of the state and city of New York have become more democratic and the population more complex; and with these changes the simple provisions of these acts, from time to time found inadequate and insufficient, have been modified and enlarged. For receiving the votes, the cigar-box or other casual contrivance, inviting frauds, has been superseded by the ballot-box of glass, displaying its contents, furnished and guarded by state authority. Ballots of varying tints and sizes, used as a means to reveal the elector's vote, have been displaced by a ticket uniform in size and color and printed in form and manner precisely indicated by the law.

None of these changes, however, can be compared in importance with the revolution effected by the registration acts. The first of these acts, passed in 1859, was crude and defective in its provisions; but it established the principle of registration, now universally conceded to be essential for honest elections. In 1859, and as late as 1873, this principle was vehemently opposed; and in the present struggle for electoral reform it should not be forgotten that the same forebodings, which are heard to-day from the timid and the doubting, were expressed eighteen years ago by the opponents of the registration acts. In his annual message of 1870, Governor Hoffman said:

> There are many who believe, after a fair and full trial of them [the registry laws], that far better results would be obtained everywhere by providing for the establishment of smaller polling districts and the full and free exercise of the privilege of challenge on the day of election.

And again in his message of 1872: "I have little faith in them to prevent frauds at the polls." The fact that time has dealt so severely with the fears and doubts of Governor Hoffman should give warning to the foes of electoral reform to-day.

Some persons may think that the people of New York must have degenerated greatly to require now, in addition to the many reforms already enacted, further safeguards against elec-

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tion frauds, while during the early years of their history the decalogue seems to have been found sufficient. A little reflection and some study of our institutional changes will show this to be a hasty conclusion. Under the first state constitution, which remained in force until the year 1821, the only officers for whom the electors of New York city voted were the governor and lieutenant-governor, the city's representatives in the assembly and senate, and the aldermen and assistants, constables, assessors and collectors. All other officials, state, county and municipal, were designated by appointment. Suffrage was by no means universal: it was virtually confined to freeholders. These simple political conditions prevailed until the constitutional changes of 1821 and 1826 broadened the suffrage; and even then the most important and lucrative municipal offices were not yet filled by popular election. The mayor and other executive officials were chosen annually by the common council. In 1834 provision was first made for the popular election of the mayor. The modern and existing municipal conditions date only from the year 1849, when the ultra-democratic ideas, then regnant throughout the world, produced a charter which provided for the election of the heads of all the executive departments. The citizens of New York were then brought face to face with the problem of self-government in its broadest sense. Its solution was made more difficult because of other nearly contemporaneous changes. Municipal elections, previously held in the spring, now took place on the same day as state and national elections. All limitations of the suffrage had disappeared with the constitutional amendment of 1826, and all property qualifications for office had been abolished in 1845. Immigration, which had been sluggish, assumed its present large proportions. In 1849, it exceeded 200,000. The population of the city was less than 500,000, so that the residents of foreign birth and extraction became numerically important at the same time that they obtained the most liberal rights of suffrage. The town of 1815, with 100,000 residents, with freehold qualification for suffrage, and with a charter under which the most important offices were filled by the state council of

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appointment at Albany, had become, by the year 1850, the metropolis of the country, with a population in excess of half a million, with universal manhood suffrage and with a charter by which the city electors were authorized to choose at popular elections all their officials, administrative and legislative.

Looking backward, it seems a strange thing that the people of New York should have chosen the moment at which the population of New York city was undergoing an important change in character to introduce the principle of manhood suffrage, and stranger still that they should have chosen the same moment for an attempt to solve the problem of municipal self-government. Their action is hardly less strange than that of our national government, in emancipating and enfranchising the negroes almost with one stroke. In New York city the results were almost as disastrous as negro rule has been in the South. Vast frauds, corrupt elections, and the choice of law-breakers as law-makers appeared contemporaneously. In 1855, one of the local parties

> nominated for the mayoralty a man who had been a year previously proved guilty, in open court, of forgery and swindling; and he was twice elected. . . . In 1866, they nominated for Congress an ex-pugilist, street rowdy and keeper of a gambling-hell, all in one person, and elected him without difficulty.[1]

The corruption and fraud of this period culminated in the unprecedented villainies of the Tweed ring. In the year 1836, when the population of the city was about 270,000, its annual expenditure was but a little in excess of $1,000,000; in 1860, with a population of 814,000, the expenditure was $9,750,000; and in 1870, with a population of about 1,000,000, the total disbursements exceeded $23,000,000. The population had not increased fourfold in these thirty years, but the expenses of city government were twenty-three times as great. Between the years 1840 and 1876 the permanent debt of the city had increased from $10,000,000 to $113,000,000. In all these years dishonesty was the largest item in the annual budget.

[1] *The Nation*, May 30, 1867.

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The corrupt and venal officials of these decades maintained and strengthened their supremacy by their unprincipled use of the election machinery. Shortly before his death, in 1877, Wm. M. Tweed, during an examination by a special committee of the board of aldermen, testified as follows:

Q. — What were they [the representative men of the Tammany organization in each ward] to do in case you wanted one man elected over another?

A. — Count the ballots in bulk, or, without counting them, announce the result in bulk, or change from one to the other as the case may have been.

Q. — Then these elections were really no elections at all?

A. — The ballots made no result; the counters made the result.[1]

Among the first efforts for reform, after the downfall of Tweed, was the amendment of the election and registration laws. The subsequent history of our elections shows that the changes made were not sufficiently radical and comprehensive. Charges of fraud and corruption are to-day not only made and not refuted, but are conceded to be true. But little dissatisfaction is found with the count of the votes, which is now comparatively well guarded; but through false registration, through the bribery of electors and, above all, through the printing and distributing of the ballots by the party organizations and the "trading" which this system has developed, the popular will is still defeated at elections. The story of the frauds perpetrated in the eighth assembly district in the elections of 1887, as told by the City Reform club,[2] illustrates the fraudulent methods practised by the politicians.

The frauds consisted in part in the registration of illegal voters. There were 132 votes registered from one lodging house, most of which are known to have been fraudulent. From another house, containing but five legal voters, there were thirty-seven names registered. Among other fraudulent devices were the organizations formed for the purpose of selling the votes of their members to the highest bidder. The mem-

[1] Special Committee Report, pp. 133, 134.

[2] Statement as to Election Frauds.

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bers of these partnerships were obliged to vote as their officers dictated. A few days before election, the vote of one of these clubs was purchased for the sum of two hundred and fifty dollars, which amount was divided up equally among the members of the organization on the evening of that day.

Mr. Elihu Root, in a letter addressed to the Brooklyn Citizens' league, January 19, 1888, stated that

> fifteen thousand names were registered from tramp lodging houses in New York in 1887. It is safe to say that fourteen thousand of these were registered for the purpose of selling their votes. The business seems to have been reduced to a system, under which the lodging house keepers make the contracts. There is preserved the evidence of eye witnesses who have seen such contracts carried out.

False registration and bribery may thus do much to vitiate an election. But the greatest danger to the suffrage flows from the printing and distributing of ballots by irresponsible political organizations. If these organizations fail to print a candidate's name on the ballot, or substitute, in pursuance of a bargain, the name of his party opponent on the regular party ticket; or if, after having printed, they conclude not to distribute any or all of the ballots; or if in the distribution they replace, in the party bunch, one of the party tickets with the corresponding ballot of another organization, — greater and more wide-reaching frauds are accomplished than can be attained by more directly corrupt practices. And all these things are done. They are the latest and most perfect developments of election corruption. These practices are called "trading" and "dealing"; and the candidates who are traded and dealt out of an election are said to be "sold out" or "knifed." This "business" is called by "supersensitive" people "treachery." In the letter already referred to, Mr. Root points out the existence of this evil, and adds that the party organizations cannot secure the honest distribution of ballots, "because they have not the power to detect, try or punish the offences, and their control, therefore, over their agents who undertake the distribution of ballots, is insufficient." It is well known that such deals are made at every election in this city. In the eighth assembly district they

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have been carried out so publicly that the county committee of the Republican party has repeatedly investigated the conduct of the leaders in this district, and has attempted to "discipline" the guilty parties. The report of the campaign committee of 1888 charges:

> The result shows that the national ticket only was strongly supported, the state ticket fairly well, *and that it was well-nigh impossible to obtain Republican county and congress[ional] ballots from the Republican booths.* County tickets with Hugh J. Grant for Mayor [the Tammany candidate] were openly given out, and with such success that Joel B. Erhardt [the Republican nominee] received only 1700 votes in the eighth assembly district. [The party vote for president and governor was over 5000.] The candidate for Congress was treated in the same manner. Never, we believe, in the history of politics in this city, has a Republican organization so disgraced itself by broken pledges and dishonesty in taking money from opposing candidates, promising support to all.

This report, recommending the abolition of the eighth assembly district organization, was adopted by a large majority, and with its adoption the party publicly acknowledged the truth of these charges.

In this manner are the popular elections of New York City conducted. The evils above enumerated, bribery, false registration and dealing, are due, in no small degree, to the fact that the politicians who superintend the false registration, who manage the bribery and consummate the deals, are sure of the results of their efforts. They do not labor upon a mere chance that the unlawfully registered and bribed voter will fulfil his promise; the system of elections guarantees them the fulfilment of their bargain. The law permits them to hand the ballots to a voter, to follow him to the polling place and to see that he casts the ballots handed him. And this is the practice; so that only when assured of *quid pro quo* do the bribers pay. The dishonest electors, says Mr. Root, are

> marched in a body to the polling place, accompanied by the ballot distributor, holding up in plain sight in one hand the ballots which he has given them, so that he may see they are not changed until they are actually deposited in the ballot box. When that has been accomplished

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they proceed to some appointed rendezvous, and, upon his testimony as to their performance of the contract, they receive the $2 or $5 or whatever may be the consideration for the vote. Of course, if each of these voters had full sets of tickets for all the candidates, and if instead of being accompanied to the polls by the distributor he were required to vote in such manner that no one but himself could know what ballot he voted, there would be practically an end of bribery, because no one would pay money upon the word of a man who would sell his vote.

An equally serious evil is the existing method of nominations. The success of independent candidates is almost impossible on account of the cost of elections. In a municipal election the printing bill of each of the organizations is no less than $25,000; to secure a distribution of the party tickets about $60,000 more are spent. In the campaign of 1882, in which Allan Campbell was a candidate for the mayoralty, Mr. Campbell's canvass was made in a period of ten days. For the purpose of making that canvass, $63,000 were subscribed; for manning the polls and supplying booths, for printing the tickets and for their distribution by mail, $43,000 were expended.[1] This large amount of money was needed merely to bring Mr. Campbell's ballots properly before the electors. Only the indignation aroused by the recent exposure of vast frauds can create, for a temporary purpose, an independent organization able to conduct such a canvass with success.

It is not intended to detract from the importance of parties nor to suggest a government without them; but it appears desirable, for the welfare and stability of our institutions, to provide election laws which will enable the citizens to nominate and elect candidates without the aid of organized parties. In order to appreciate fully the evils that flow, in New York city, from the fact that the party organizations possess a practical monopoly of nominations, it should be remembered that the party candidates are nominated at primaries and conventions representing at most ten per cent, and often only two per cent, of the party vote.[2]

The remedy is always suggested by the nature of the evil.

[1] Wm. M. Ivins, Machine Politics and Money in Elections.

[2] See Nominations in New York City, POLITICAL SCIENCE QUARTERLY, III, 1 (March, 1888), pp. 113, 115 *et seq.*

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If an election system can be devised under which the surveillance of the fraudulently registered and bribed voters will become impossible and dealing cannot be practised, the election frauds from which we now suffer will disappear. While these frauds have assumed their most acute form in New York, they have not failed to appear in other states; and the growing recognition of their dangerous character and of their immediate causes has led to a widespread movement for the modification of our election laws. Bills have been introduced in many states, and in three (Massachusetts, Wisconsin and Kentucky) laws have been passed to establish or restore the purity of elections. But the first impulse to this movement may be said to have been given in New York city. The form of all these ballot bills has been derived from the Australian and the English statute books, but in their minute provisions care has been taken to adapt them to the special needs and conditions found prevailing in this country. Never has any law received more careful consideration than that bestowed by Englishmen upon the existing English ballot act.[1] The act was at first applied only to a part of England and to parliamentary elections; but it has been extended, after a satisfactory trial, to the whole kingdom and to municipal and county as well as general elections. The *viva voce* system which prevailed before the adoption of this law, had produced great corruption and fraud, bribery and intimidation. To recommend a system free from these dangers, a commission was appointed by Parliament in 1868, of which the Marquis of Hartington was chairman and Sir Michael Hicks-Beach, Mr. James and Mr. Villiers, among others, were members. It wisely began its labors by a study of the systems of election of other countries and examined, at its many sessions, competent witnesses whose testimony has great value. The laws of France, of the United States, of South Australia, Victoria, Greece and Italy were passed in review. The American and French laws were found faulty, because,

[1] For the history of this act, see Goadby, The Ballot in England, POLITICAL SCIENCE QUARTERLY, III, 4 (December, 1888), p. 654; and John H. Wigmore, Australian Ballot System, Boston, Chas. E. Soule, 1889.

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under them, the ballot is not necessarily secret. An elector can be observed when taking a ballot and then followed until he has voted it. The Greek and Italian laws were not deemed suited to the more democratic institutions of England. In the Australian law books, however, the commission found a system which it firmly believed would subserve the desired ends. The ballots in the Australian colonies are printed by the government and distributed by its officials at the polling places; they must be prepared in compartments to which the elector retires alone and be voted by him before leaving the polling room. This system compels secrecy and thereby prevents bribery, for people who sell their franchise will not be trusted by their bribers to vote as they are paid to vote. At the first trial of the act in Australia, an effort was made to evade the consequence of compulsory secrecy. A bribed voter, perhaps the first one, was handed an unofficial ballot or a blank piece of paper and was promised his pay on condition of voting the paper handed him and giving up the official ballot. The bribers would then prepare this official ballot, hand it to the next bribed voter, and receive from him his unmarked official ballot. In this way the corruption of the voters could continue until the close of the polls. This device was first employed in Tasmania and received the designation of "the Tasmanian dodge." This practice suggested the need of an identification of the official ballot; and provision was thereupon made for the written indorsement of the name of one of the election officers. The English law, adopted after the labors of the commission were ended, embodied the important principles of the Australian ballot acts. It required the use of a stamp for the identification of the official ballot.

It is but natural that the Australian and English acts should have formed the basis of the proposed reform bills in our country. The evils here are of no other kind, though more exaggerated in degree, than in Australia or England. Such enactments in our states will not only defeat bribery (to which false registration is due), but, if properly drafted, trading also; and independent nominees will have an opportunity as favorable as the

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candidates of machines and organizations, because the expense of printing and of distributing the ballots will become state burdens. The mere statement of the evil makes the remedy so obvious "that the first emotion of any inquirer who has gone to the bottom of the subject is one of astonishment that the neglect was not seen and remedied long ago." [1]

In order that such a measure may be comprehensive, it should include, in whatever form and with whatever details, the following provisions:

(1) The ballot should be printed and distributed at public expense.

(2) The names of all candidates for the same office should be printed upon the same ballot.

(3) The ballot should be delivered to the voters within the polling place on election day by sworn public officials, and only ballots so delivered should be counted.

(4) The voter should be guaranteed absolute privacy in preparing his ballot, and the secrecy of the ballot should be made compulsory.

The first provision will so greatly facilitate the election of independent candidates that the machine will lose much of its present influence and power; the second will destroy dealing and trading; and the third and fourth, which will make the ballot really secret, will render bribery rare because its fruits will be uncertain.

Without discussing in detail any of the ballot bills already adopted in the United States, it is intended to outline their general character. They all necessarily involve such provisions as to nominations that the officer charged with the duty of printing the ballots may be informed of the names to be placed upon them. In this is included the possibility of independent candidatures. The law recently enacted in Massachusetts, to go into effect November 1, 1889, and that adopted in Kentucky for the city of Louisville, already in force, are as comprehensive as the Australian or English ballot acts and embody every one of the four important principles.

[1] The Law and the Ballot, *Scribner's Magazine*, February, 1888.

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The Massachusetts act enables both individuals and organizations to nominate candidates. Nominations may be made by

any convention of delegates representing a political party which, at the election next preceding, polled at least three per cent of the entire vote cast in the state or in the electoral district or division thereof for which the nomination is made, or [by] any convention of delegates who have been selected in caucuses called and held in accordance with a special statute providing therefor;

and also by one thousand qualified voters for offices to be filled by the electors of the state at large, and by one for every one hundred persons who voted at the preceding election in the electoral district for which the candidate is presented. The first two principles above set forth are recognized in the provisions of sections 1 and 10:

All ballots cast at elections . . . shall be printed and distributed at public expense as hereinafter provided.

Every general ballot . . . shall contain the names, residences, together with street and number, if any, and the party or political designation of all candidates whose nominations for any offices specified in the ballot have been duly made.

The third and fourth principles are embodied in the provisions of sections 22 and 23, that any person desiring to vote shall give his name, and that, if such name is found upon the check-list by the ballot officer having charge thereof, the ballot clerk shall give him one ballot; that on receipt of his ballot the elector shall forthwith, and without leaving the enclosed space (a space containing voting shelves or compartments and surrounded by a guard rail), retire alone to one of the voting shelves or compartments to prepare his ballot; that before leaving the voting shelf or compartment the voter shall fold his ballot without displaying the marks thereon, and that he shall keep the same so folded until he has voted it; and that he shall vote in the manner provided by law before leaving the enclosed space. To insure that the official ballot only shall be voted, the law has enacted that on the back and outside of it shall be printed "a facsimile of the signature of the secretary of the commonwealth or city clerk who has caused the ballot

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to be printed." A severe penalty is imposed for the forgery of the indorsement, and a ballot without such official indorsement is declared invalid. This act further declares that any illiterate voter, after receiving the official ballot, shall,

> upon request, receive the assistance of one or two of the election officers in the marking thereof, and such officer or officers shall certify on the outside thereof that it was so marked with his or their assistance, and shall thereafter give no information regarding the same.

The Kentucky act is like that of Massachusetts in all important respects. Compartments with doors are to be provided, which the voter must enter when furnished with a ballot and in which, after closing the door behind him, he must prepare his ballot. The official ballot is identified by the name of the ballot clerk, which must be indorsed on the ballot before it is handed to the voter. This bill has already been in operation at one municipal election. The author of the bill, Arthur Wallace, in a letter dated January 26, 1889, states :

> The first trial of the measure occurred December 4, 1888, and was altogether satisfactory to its friends. The secret ballot frees the voter from intimidation through his business, political or social connections, and enables him to vote as his conscience dictates.
>
> It did not absolutely prevent bribery, but it rendered the use of money very risky and unsatisfactory. The corruptionist could buy votes as before, but he had no assurance that the goods would be delivered, and he had to rely solely on the honesty — a frail dependence — of the bribed party. One who will accept a bribe is not, ordinarily, scrupulous in complying with his contract, and after receiving the money is apt to vote his preference, regardless of the monetary influence. This was the view our corruptionist took of the matter. His occupation on election day seemed, if not altogether gone, a very dull one. In the evening, at many of the polling places, he was not visible, having left in disgust.
>
> As a further evidence that the corruptionist could not work with money successfully under this system, the result of the election in most of the wards was a surprise and disappointment to him.

Only these two states have enacted ballot bills embodying all of the principles enumerated. In Wisconsin, an act applying to elections in cities of 50,000 inhabitants and over — *i.e.*, to the

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city of Milwaukee alone — was passed as early as April, 1887. It is a compromise and not a comprehensive reform bill, and but little good would be derived from its application to our city elections. Under this act the state is charged with the distribution of the ballots, the duty of printing them remaining with the organizations. For the distribution, a ticket room adjoining the voting room is provided, in which shall be

> kept a suitable table or tables having compartments conveniently arranged, so that the voter after entering the ticket room may be enabled conveniently to select his ballot. Upon such table shall be deposited and kept tickets which may be prepared for the use of voters by any political party.

Of course the printing of the ballots, as well as their distribution, should have been assigned to the state; but in spite of this omission the bill would have been a step forward, if its other provisions had not been faulty. The ward committee of the political party may designate two persons to act as custodians of the tickets in the ticket room. This enables the organizations, through their custodians, to observe and watch the voting. The opportunities for these custodians to exert improper influence are increased by the provision that, "if requested by any voter to alter any ticket, the one so requested may make such alterations as the voter requests. . . ." Not only is supervision possible, but the custodians are directly authorized to prepare any elector's ballot at his request, whether the elector is illiterate or not. There is no compulsory secrecy under this act. An effort will be made to secure its amendment at the present session of the legislature.

During the legislative sessions of 1887 and 1888 bills were introduced in Michigan, Iowa and Maryland, but all failed of enactment. The bill introduced in Maryland is almost a literal copy of the New York measure.

The New York bill was prepared by a committee in this city, including representatives of the Union League, Commonwealth and City Reform clubs, and a representative of the Labor party. It was presented to the New York legislature last year by Mr. Yates and was incorporated into the Judiciary committee's bill.

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The result is fresh in the public memory: the bill was passed by both houses of the legislature, receiving almost the entire Republican vote and some Democratic support, and was vetoed by Governor Hill.

From its inception, this bill was kept free from any taint of partisan politics. It was drafted, as we have seen, by an unofficial committee in which Democrats and Republicans were represented. It was but one of several ballot reform bills presented to the legislature, other measures having been submitted by Mr. Saxton and Mr. Hamilton, members of the assembly. A careful and patient hearing was given by the Judiciary committee to the advocates of all these bills; a leading Republican of this city, Mr. Elihu Root, appearing in defence of the Hamilton bill. The committee, in rejecting the Hamilton bill and in reporting a measure embodying the advantages of both the Yates and the Saxton bills, showed itself superior to party feeling. It adopted the reform ideas and no party distortion of them.

This bill (which, from the name of the chairman of the Judiciary committee, has come to be known as the Saxton bill) enunciated in its first section the fundamental principle, that "all ballots cast at elections for public officers within this state shall be printed and distributed at public expense." Nominations by political organizations and by citizens acting independently were made possible by the following provisions:

> Any convention, as hereinafter defined, held for the purpose of making nominations to public office, and also electors, to the number hereinafter specified, may nominate candidates for public offices to be filled by election within the state.
>
> A convention, within the meaning of this act, is an organized assemblage of delegates representing a political party which, at the last election before the holding of such convention, polled at least three per cent of the entire vote cast in the state, county, or other division or district for which the nomination is made.
>
> Electors residing within the district or political division for which candidates are to be presented, equal in number to at least one per cent of the entire vote cast at the last preceding election in the state, county, or other division or district for which the nomination is to be made

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were also qualified to place a candidate in nomination.[1] The ballot was to contain "the name of every candidate whose nomination for any office specified in the ballot" had been certified to; and in order to make the preparation of the vote easy, the bill provided that

> the names of candidates nominated by each party shall be grouped together upon the proper ballot, and each group shall be headed by the name of the political party by which the candidates comprising said group were placed in nomination.

Compulsory secret voting was guaranteed by the requirement contained in section 22:

> On receipt of his ballots, the elector shall forthwith, and without leaving the polling-place, retire alone to one of the places, booths or compartments provided to prepare his ballots. . . . After preparing his ballots, the voter shall fold each of them so that the face of the ballot will be concealed, and so that the printed indorsement and the signatures or initials of the inspectors thereon may be seen. He shall then vote forthwith, and before leaving the polling-place.

It was believed to be of the essence of the bill to identify the official ballots and so to prevent the use of those unofficially printed; and section 21 therefore provided that,

> before delivering any ballot to an elector, the two ballot clerks shall write their names or initials upon the back of the ballot, immediately under the printed indorsement.

The requirement that *both* clerks should indorse their names or initials was expected to reduce greatly the opportunity for fraud and for the use of improper ballots.

The illiterate voter was prominent in the minds of the framers of this bill; not, perhaps, because it was believed by them that the permanency of republican institutions depends on the

[1] The purpose of these provisions was to prevent reckless nominations. Under the English act such nominations were checked by the fact that each candidate had to pay his share of the expenses after election even if he polled only one vote. It is interesting to note that the English have now so little fear of inconsiderate nominations that, when the Local Government act of 1888 extended the operation of the Ballot act to the elections for the new county councils, this check was removed, all costs properly incurred in the election of county councillors being made a county charge. 51 and 52 Vict. c. 41, § 75 (17).

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franchise of the ignorant, but because it was feared that, if the rights of this class were neglected, its champions would rise from almost every seat in the legislature. The solution of this difficulty was therefore an important task. The illiterate voter, many feared, could not, without aid, prepare his ballot alone in a compartment. To permit him to be accompanied by a friend would throw open the door to the ticket pedlers and workers whose exclusion from the polling place was one of the principal objects of the bill, and would give the party agents the same undoubted assurance they now have that their ticket is voted. To compel him to disclose his vote by requiring him to call upon the officials to mark his ballot would antagonize his defenders. The illiterate voter thus placed the legislature in a quandary. The remedy was found in a provision rendering the marking of the ballot so simple that the illiterate voter could effect it without assistance, and giving him in addition the privilege of consulting with the official inspectors and of asking them for aid. Section 25 of the bill provided:

> Any elector who declares under oath to the ballot clerks that he cannot read or write . . . may declare his choice of candidates to either one of the ballot clerks, who, in the presence of the elector, shall prepare the ballots for voting in the manner hereinafter provided; or such elector, after making such oath, may require one of such ballot clerks to read to him the contents of the ballot, so that the elector can ascertain the relative position of the names of the candidates on each ballot.

It should be remembered that all the candidates of each party were to be grouped together on each ballot, and that the party designation was to be printed at the head of each group.

Such were the main features of the bill passed by the two branches of the state legislature last year and submitted to the governor. It is apparent from his veto message that he felt that the impulse which led to its passage was not only Republican party spirit, but also the discontent of honest and good citizens of all parties with the existing laws of election. The governor said:

> I would cheerfully approve a well-considered measure which should provide, substantially, that each elector, just before depositing his ballot,

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should enter a separate compartment or booth provided for that purpose, where he can alone assort and arrange his tickets to suit himself, and from this compartment proceed directly to the inspectors, unattended by any one, and deposit his ballot. Such a provision, plain, simple and easily understood, would tend to restrict bribery and corruption, as the bribers would be unable to know or determine what ticket had actually been voted, and would be less likely to attempt to improperly influence the voter. So far as this bill partakes of this feature, it is meritorious and merits my approval.

From the above sentences, it would appear that the governor was thoroughly convinced of the inadequacy of our election laws and sincerely desirous of their improvement; and that his veto was due to a difference of judgment, on his part, as to the expediency of the particular measures adopted by the legislature. But some of the special criticisms made by him seem to show an unfriendly attitude, not merely towards the Saxton bill, but towards the reform which it was intended to bring about. The bill provided, as we have seen, for printing the names of candidates nominated either by organizations or by independent electors. Notwithstanding, the governor said:

True, the elector may write the name of a candidate on his ballot, but this suggests a general and fundamental objection to the bill, namely, that it gives formal recognition only to candidates nominated by the prescribed methods.

Is this a faulty provision, if the "prescribed methods" give every elector an equal opportunity to nominate his candidate? Those only receive recognition now who pay enormous assessments to the parties and receive their nominations at the hands of a few political managers. Again: the governor, defending the "system of elections which has been in operation for a century" against certain alleged innovations of the Saxton bill, declares that

the prodigious and irresponsible power with which the ballot clerks are armed, considered in connection with their policy of appointment, and especially the fact that only two parties competing in an election can be represented by those clerks, presents a fatal objection to the bill.

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But the bill submitted to the governor provided "that *at the same time and in the same manner as inspectors of election are appointed, or elected*, two ballot clerks for each election district in the state should be appointed or elected." Inspectors have, under the present system, an equal opportunity to frustrate an election, by remaining away from the polling place, concealing the registration list and failing to enforce order; but usually they do their duty. Further: the governor errs in saying: "but this bill makes provision for a compulsive disclosure of their votes by illiterate electors." This section of the bill (25) has already been fully discussed; it provides only, as we have seen, that such elector "*may* declare his choice to either one of the ballot clerks." The New York bill did not differ in these details from the measures passed by the legislatures of Republican Massachusetts and Democratic Kentucky and approved by the governors of those states.

In the state canvass of 1888, ballot reform was earnestly discussed. It was a leading issue. Notwithstanding the defeat of the party and candidate which indorsed the Saxton bill, Governor Hill has devoted a large part of his recent message to the legislature to "reform in election methods." It is believed that the legislature will again pass a satisfactory bill; hence the governor's views are of the utmost importance. He suggests a measure embodying provisions for the printing of ballots in the manner now provided by law, for their distribution at public expense, and for the preparation of the ballots in compartments to which electors must retire for this purpose. He would probably require that the candidate nominated by independent citizens should show a large support among the electors, in order to secure the distribution and printing of his ballots at public expense; for he says:

> While ballots should be furnished for the candidates of the principal political parties polling a certain fair percentage of votes at the previous election, yet any further provision compelling their furnishing should be strictly guarded.

Neither is he inclined to recognize the official ballot to the exclusion of those printed by organizations and individuals, nor

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to have the names of all candidates for the same office printed upon the same ballot. He says:

Grave objections exist to any provisions vesting the exclusive power of furnishing ballots in the state, county or city. That power should be concurrent with parties, candidates and individuals. While the state, county or city may furnish ballots and thereby always insure a sufficient supply for the convenience of voters, and thus tend to relieve candidates from the necessity of large political assessments for such purpose, yet no good reason exists why parties, candidates or private individuals may not themselves be permitted voluntarily to furnish their own ballots in case they desire to do so. . . . Each elector should be required to pass behind screens or within compartments or booths, situated within such reserved boundaries, and there alone prepare or assort his tickets, and then proceed directly from such place to the polls without any one accompanying him or any opportunity being offered for discovering what ticket he votes. The value of such a provision consists not in permitting the elector to cast a secret ballot, but in compelling him to do so.

A complete reform would not be accomplished by the enactment of the measures proposed by Governor Hill, but some good would result. The earnest advocates of ballot reform are naturally reluctant to accept a compromise bill. They would be unwise to surrender without a struggle any of the four cardinal principles above enumerated, because the only reason that has been presented for the substitution of a modified and mutilated bill is that the enemies of the reform must be placated. But if a compromise is unavoidable, such a measure as that outlined by the governor ought to be passed.

There is a certain honest popular opposition to a comprehensive ballot bill. Some fear the changes proposed, because they are radical; others fear that the illiterate vote may suffer in some unknown and undefined manner. To the latter class no more convincing argument can be presented than the testimony given by Sir Charles Dilke before the English committee already referred to:

I may state, in reference to that, that at Manchester, where a third of the voters are a very ignorant class indeed, I believe only twelve or thirteen papers were bad votes. . . . I can say that of those who did

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vote, a great number were unable to read or write, because I was partly in charge, from my wish to see it, of one of the booths, and I know that a very considerable number of those who came up to vote there told me afterwards, as they were standing about, that they were unable to write.[1]

This was the experience at the first trial of the Australian system in a manufacturing city in England. The illiterate voter, without the aid offered to him in the original Saxton bill, was able to mark his ballot. To this class, the revised bill which Mr. Saxton will submit to the legislature at its present session offers a better alternative in providing for the printing in the newspapers of a facsimile of the official ballot, which, prepared at home with the aid of friends, can be copied or pasted on the official ballot in the polling place.

Those who fear the change because it is radical should not forget that our registration acts have met and overcome this dread, and that our existing election machinery is defective and produces wide-reaching corruption and dishonesty. The defects of our election system were never stated more strongly than by Sir Charles Dilke before the parliamentary committee. He said:

The American and French systems, as the committee will see, are so far secret as this: that they may be secret, but that they need not in all cases necessarily be secret; and in that they differ entirely from the Australian system, if properly carried out, because the Australian system, if properly carried out, is and must necessarily be secret. By that, I mean this: that in Paris, if you follow a voter along the queue, along the string of voters, you can see him taking the voting paper of a particular candidate. He takes it open and you can see which he takes. There is no power to prevent it, if he wishes you to see it in his hand from the time he takes it to the time that the deputy returning officer puts it into the box; so that under the French or American system, if the voter wishes that other persons should know how he votes, he can ensure that they shall know. Under the Australian system the voter cannot make known for certainty, as the committee are aware, the way in which he votes, because if he tells you how he votes he may be telling a lie.

[1] Report of Select Committee 1868–9, vol. viii. For further testimony see Goadby (cited above), pp. 669 *et seq.*

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What the ballot act accomplished in Australia was told to the commission by several witnesses. There, it abolished bribery and ended corruption. It proved so satisfactory that it was adopted in Victoria, Tasmania, New South Wales, Queensland and West Australia a few years after its first trial in South Australia in 1858. It is unreasonable to regard this method of voting as experimental. It has been in use in Belgium since 1872, in Canada since 1874, as well as in all the Australian provinces and in Great Britain and Ireland. It has received

the approval of the legislatures of seventeen civilized states. Forty-five times these different legislatures have registered their approval of the system by various enactments (exclusive of amendments). The people who now conduct their election by this machinery number nearly eighty-five millions; they are all citizens of free states living under constitutional government and enjoying representative institutions.[1]

It is not contended by the advocates of ballot reform that the adoption of the official ballot will remove all the existing evils of elections; but it is confidently asserted and sincerely believed that greater reforms in our elections will result from such a measure than from any other to which attention has been directed. It should, however, soon be supplemented by an enactment limiting the expenditure of candidates at elections and providing for a sworn statement of such expenses after the campaign. The governor directs attention to this matter in his late message.

The friends of the official ballot will surely find encouragement and pleasure in the report of the progress which has been made in the acceptance of their ideas in this country. There is now scarcely a Northern state in which steps are not being taken to secure the enactment of an official ballot law. In a large number, bills are either pending before the legislatures or are ready for introduction. There are bills in some state of development in New York, New Jersey, Rhode Island, Connecticut, Indiana, Missouri, Maine, Michigan, Illinois, California, Virginia, Delaware, Kansas, Tennessee, Ohio, New Hampshire,

[1] Wigmore, Australian Ballot System, p. 28.

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Nebraska, Colorado, Iowa, Louisiana and Oregon. But nowhere is there greater need for such a law than in the state and city of New York. New York city has an enormous foreign element. Italians, Bohemians and Poles reside in this city in large numbers; they have established colonies in different quarters of the city, known as Little Italy, Little Bohemia and Little Poland. To many of these people, in spite of the fact that they have been naturalized, our language and institutions are unknown; some have emigrated from countries where they did not enjoy the suffrage, and, not appreciating its importance, they deal in it with as little hesitation as in wares and merchandise. The dense population and the large tenement-house element in certain wards of New York city have created peculiar political conditions. Of the 1,206,694 inhabitants returned by the census of 1880, 542,451 persons or 45 per cent of the total population of the city resided in the district between the Battery and Fourteenth street, — an area including but 2408 of the city's 26,819 acres. In the eleventh, thirteenth and seventeenth wards, with an area (including streets) of less than a square mile (.99), 209,094 persons resided. The state of New York is now, in the language of politics, the "pivotal" state, because its vote usually determines the result of the presidential election, and in it the two great parties are so evenly divided that the change of a few votes may determine the majority. Politicians, appreciating these facts, devote their efforts to New York city and find their opportunity in the foreign population and the crowded city wards. In the last weeks before election day, vast funds are raised to be employed there, and bribery and corruption hold carnival. An election law which will prevent such a demoralization and degradation of the suffrage is urgently needed.

ABRAM C. BERNHEIM.

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BRYCE'S AMERICAN COMMONWEALTH.

THIS is a great work, worthy of heartiest praise. Its strength does not lie in its style, although that, while lacking distinction, is eminently straightforward and clear; nor yet altogether in its broad scope of weighty topics, — a scope wide almost beyond precedent in such subjects, and rich in suggestion, — but chiefly in its method and in its point of view. Mr. Bryce does not treat the institutions of the United States as experiments in the application of theory, but as quite normal historical phenomena to be looked at, whether for purposes of criticism or merely for purposes of description, in the practical, every-day light of comparative politics. He seeks to put American institutions in their only instructive setting — that, namely, of comparative institutional history and life.

It is of course inevitable to compare and contrast what Mr. Bryce has given us in these admirable volumes with de Tocqueville's great *Democracy in America*. The relations which the two works bear the one to the other are almost altogether relations of contrast, and the contrast serves to make conspicuous the peculiar significance of what Mr. Bryce has written. De Tocqueville came to America to observe the operation of a principle of government, to seek a well-founded answer to the question: How does democracy work? Mr. Bryce, on the other hand, came, and came not once but several times, to observe the concrete phenomena of an institutional development, into which, as he early perceived, abstract political theory can scarcely be said to have entered as a formative force. The question for which he sought an answer was this: What sort of institutions have the English developed in America? In satisfaction of his curiosity, his keen and elevated philosophical desire, de Tocqueville saw the crude and impatient democracy of Andrew Jackson's time. Mr. Bryce has seen the almost full grown, the measurably sobered America of to-day, and has seen, therefore, with a fairer chance of just proportion.

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It will hardly be accounted a disparagement of Mr. Bryce's style to say that it is inferior to de Tocqueville's; the thoughts it has to convey, the meanings it has to suggest belong to quite another class than that to which de Tocqueville's judgments must be assigned: it is not meant to carry the illumination of philosophical conceptions into the regions of fact which it explores; its task is rather exposition than judgment. Mr. Bryce does not feel called upon to compete with de Tocqueville in the field in which de Tocqueville is possibly beyond rivalry. Something very different was needed, and that he has done to admiration: he has written a book invaluable to students of comparative politics, — invaluable because of its fulness, its accuracy, its candor, its sane, perhaps I ought rather to say its sage, balance of practical judgment.

Mr. Bryce's qualifications for the great task he has thus worthily performed were probably equal to those of any other man of our generation. First of all, he is a Roman lawyer steeped in the legal and political conceptions of that race whose originative strength in the field of law and practical sagacity in the field of politics were as conspicuous and as potent in the ancient world as the legal capacity and political virility of the English race are in the modern world. His knowledge of Roman institutions constantly serves to remind him of the oldness and persistency of certain features of institutional development, to warn him against perceiving novelty where it does not exist. In the second place, he is a member of Parliament and an English constitutional statesman, knowing the parent stock from which our institutions sprang, not only through study, but also through having himself tasted of its present fruits. Perhaps no one can so readily understand our institutions as an English public man sufficiently read in our history and our constitutional law not to expect to find bishops in our Senate or prime ministers in the presidency. He has breathed the air of practical politics in the country from which we get our habits of political action; and he is so familiar with the machinery of government at home as to be able to perceive at once the most characteristic differences, as well as the real

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resemblances, between political arrangements in England and in the United States. He is prepared to see clearly, almost instinctively, the derivation of our institutions, at the same time that he is sure to be struck by even our minor divergences from English practice. But Mr. Bryce brought to the task of judging us a wider and more adequate preparation than even a schooling in Roman law and English practice could by itself have supplied. He is sufficiently acquainted with the history and practical operation of the present constitutions of the leading states of Europe to be able readily to discern what, in American practice, is peculiar to America, or to America and England, what common to modern political experience the world over. In brief, he has a comprehensive mastery of the materials of comparative politics, and great practical sagacity in interpreting them.

Mr. Bryce divides his work into six parts. In Part I he discusses "The National Government," going carefully over the ground made almost tediously familiar to American constitutional students by commentaries without number. But he gives to his treatment a freshness of touch and a comprehensiveness which impart to it a new and first-rate interest. This he does by combining in a single view both the legal theory and interpretation and the practical aspects and operation of the federal machinery. More than that, he brings that machinery and the whole federal arrangement into constant comparison with federal experiments and constitutional machinery elsewhere. There is a scope and an outlook here such as render his critical expositions throughout both impressive and stimulating. Congress, the presidency, and the federal courts are discussed in every point of view that can yield instruction. The forms and principles of the federal system are explained both historically and practically and are estimated with dispassionate candor. Perhaps the most emphasized point made in this part is one which is derived from comparative politics. It is the separation of the executive from Congress, a separation which deprives the executive of all voice in the formation of administrative and financial policy, and which deprives Congress of such leader-

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ship as would give its plans coherency and make available for its use that special and intimate knowledge of administrative possibilities without which much well-meant legislation must utterly miscarry. This is of course the particular in which our government differs most conspicuously from all the other governments of the world. Everywhere else there is one form or another of ministerial leadership in the legislature. A body of ministers constitutes, as it were, a nerve centre, or rather a sensitive presiding brain, in the body politic, taking from the nation such broad suggestions as public opinion can unmistakably convey touching the main ends to be sought by legislation and policy, but themselves suggesting in turn, in the light of their own special knowledge and intimate experience of affairs, the best means by which those ends may be attained. Because we are without such legislative leadership we remain for long periods of embarrassment without any solution of some of the simplest problems that await legislation.[1] To this absence of cabinet government in America, and the consequent absence of party government in the European sense of the term, Mr. Bryce again and again returns as to a salient feature, full of significance both for much evil and for some good.[2] The evil consists in slipshod, haphazard, unskilled and hasty legislation; the good, so far as it may be stated in a single sentence, consists in delaying the triumphs of public opinion and thereby, perhaps, rendering them safer triumphs.

One chapter of this first part possesses conspicuous merit, namely, chapter xxiii, on "The Courts and the Constitution."[3] It brings out with admirable clearness the wholly normal character of the function of constitutional interpretation, as a function familiar from of old to English judicial practice in the maintenance of charter provisions, and of course necessary, according to English precedents and ideas, to the maintenance and application of charter-like written constitutions. In exposition of

[1] See especially vol. ii, pp. 316, 317.

[2] See particularly vol. i, chap. xxv: Comparison of the American and European Systems.

[3] Vol. i, pp. 237–255.

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this view, now universally held but not always lucidly explained, he gives a prominence such as it has never before had to the very instructive fact that the constitution does not grant the power of constitutional interpretation to the federal courts in explicit terms, but that that power, so marvelled at by Europeans, is simply a necessary inference (at least a necessary *English* inference) from its general provisions touching the functions of a federal judiciary. One point touching the action of the courts is, however, left perhaps a little too much to this same English inference. It is stated that cases involving questions of constitutionality must wait to be made up in the ordinary manner at the initiative of private parties suing in their own interest and are often, most often, decided at the instance and in behalf of such private litigants; but it is left too much to inference — an inference easy of course to an American, but doubtless far from obvious to a foreigner — that a decision, when against the constitutionality of a law, is, not that the law is null and void, but is that the law *will not be enforced in that case.* Therefore other cases involving the same points will not be made up, litigants knowing what to expect, and it is *thus*, indirectly, that the desired annulment is effected. This is not a matter of form merely or only of curious interest. For Mr. Bryce's purpose it is a point of importance. It illustrates the thesis he is trying to establish, namely, the normality of the whole principle and procedure: the entire absence from our system of any idea of a veto exercised by the courts upon legislation or of any element of direct antagonism between Congress and the judiciary, and the matter-of-course interpretation of the supreme law by those who interpret all law.

The appendix to Volume I adds to this first part, besides much other illustrative matter, a statement of the main features of the federal structure of the two great English universities and the federal constitution of Canada.

Part II is devoted to "The State Governments." Here for the first time in any comprehensive treatise the states are given the prominence and the careful examination which they have always deserved at the hands of students of our institutions

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but have never before gotten. Under some seventeen heads, occupying as many close-packed chapters full of matter, the state governments (including of course local government and the virtually distinct subject of the government of cities), state politics, the territories, and the general topics in comparative politics suggested by state constitutions and state practice are discussed, so far as reliable materials serve, with the same interest and thoroughness that were in the first part bestowed upon the federal government. Mr. Bryce more than once urges upon European students of comparative politics the almost incomparable richness of this well-nigh unexplored region of state law. If he can wonder that Mr. Mill "in his *Representative Government* scarcely refers to" our states, and that "Mr. Freeman in his learned essays, Sir H. Maine in his ingenious book on *Popular Government*, pass by phenomena which would have admirably illustrated some of their reasonings," finding, as he does, in M. Boutmy and Dr. von Holst the only European discoverers in this field, it may profit American students to reflect in what light their own hitherto almost complete neglect of the constitutional history of the states ought to be viewed. This second part of Mr. Bryce's book ought to mark a turning point in our constitutional and political studies. In several of our greater universities some attention is already paid to state law and history; but it is safe to say that in no one of them are these subjects given the prominence they deserve; and it is safe to predict that our state history will some day be acknowledged a chief source of instruction touching the development of modern institutions. The states have been laboratories in which English habits, English law, English political principles have been put to the most varied, and sometimes to the most curious, tests; and it is by the variations of institutions under differing circumstances that the nature and laws of institutional growth are to be learned. While European nations have been timidly looking askance at the various puzzling problems now pressing alike in the field of economics and in the field of politics, our states have been trying experiments with a boldness and a persistency which, if generated by ignorance in many cases

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and in many fraught with disaster, have at any rate been surpassingly rich in instruction.

Part III, on "The Party System," is the crowning achievement of the author's method. Here in a learned systematic treatise which will certainly for a long time be a standard authority on our institutions, a much used hand-book for the most serious students of politics, we have a careful, dispassionate, scientific description of the "machine," an accurately drawn picture of "bosses," a clear exposition of the way in which the machine works, an analysis of all the most practical methods of "practical politics," as well as what we should have expected, namely, a sketch of party history, an explanation of the main characteristics of the parties of to-day, a discussion of the conditions of public life in the United States, those conditions which help to keep the best men out of politics and produce certain distinctively American types of politicians, and a complete study of the nominating convention. One can well believe that that not super-sensitive person, the practical politician, much as he pretends to scorn the indignant attacks made upon him by "pious" reformers, would be betrayed into open emotion should he read this exact and passionless, this discriminating and scientific digest of the methods by which he lives, of the motives by which he is moved. And certainly those who are farthest removed from the practical politician's point of view will gain from these chapters a new and vital conception of what it is to study constitutions in the life. The wholesome light of Mr. Bryce's method shines with equal ray alike upon the just and upon the unjust.

Mr. Bryce very happily describes our system of nomination by convention as

> an effort of nature to fill the void left in America by the absence of the European parliamentary or cabinet system, under which an executive is called into being out of the legislature by the majority of the legislature. In the European system no single act of nomination is necessary, because the leader of the majority comes gradually to the top in virtue of his own strength.[1]

[1] Vol. ii, p. 187.

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But what, in view of this, are we to say of his judgment[1] that "a system for selecting candidates is not a mere contrivance for preventing party dissensions, but an essential feature of matured democracy"? Clearly no system for nominating candidates can touch the leading places in a democracy, however matured that democracy may be, if those places be filled under the parliamentary or cabinet system, as they are in England and France. Mr. Bryce is able to show that the selection of candidates by local representative party associations has been coming more and more into vogue in England *pari passu* with the widening of the franchise, having in 1885 been behind almost every new Liberal candidate for the Commons;[2] but is it quite safe to argue *cum hoc ergo propter hoc?* Of course it needs no nominating convention in Midlothian to select Mr. Gladstone, and no caucus in any other constituency to choose for the voters a man who has made himself necessary because of mastery in Parliament, because of proof given there of a dominant mind in statesmanship. But, leaving parliamentary leaders apart, is not all nominating machinery a "separable accident" rather than an essential feature of democracy? Has it failed of construction in Switzerland merely because of the smallness of the Swiss constituencies? Have not the exceeding multiplicity of elective officers and that pernicious principle that no one may be chosen state or national representative except from the district in which he lives — a principle whose history runs back to insignificant Governor Phips of colonial Massachusetts — been more to blame than anything that can be regarded as essential to democracy? Above all is not that complete obscuration of individual responsibility which results from the operation of the "checks and balances" of our system chiefly chargeable? It prevents any man from selecting himself for leadership by conspicuous service and makes the active part of politics turn upon selecting men rather than upon selecting measures. Men are not identified with measures; there must, consequently, be some artificial way of picking them out.

In enumerating the causes why the best men do not enter

[1] Vol. ii, p. 47. [2] Vol. ii, p. 48, note.

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politics,[1] Mr. Bryce seems to me to omit one of the most important, although he elsewhere repeatedly gives evidence that he is in full view of it, namely, the absence of all great prizes of legislative leadership to be won by sheer strength of persuasive mind and constructive skill. He sums up the reasons he does give with admirable point, however, by saying that "in America, while politics are relatively less interesting than in Europe, and lead to less, other careers are relatively more interesting and lead to more";[2] but he omits to state, in this connection, one of the most patent reasons why politics are relatively less interesting, why they lead to less, here than elsewhere.[3]

Part IV, on "Public Opinion," its American organs, its American characteristics, its American successes and failures, contains some of the author's best analytical work, but is less characteristic of his method than the preceding parts.

Part V contains "Illustrations and Reflections." It opens with an excellent chapter on the Tweed ring by one of the most lucid of our own writers, Professor Goodnow; treats of other special phases of local ring government; of "Kearneyism in California," of *laissez faire*, of woman's suffrage, and of the supposed and true faults of democracy as it appears in America.

Part VI concerns "Social Institutions" — railroads, Wall street, the bench, the bar, the universities, the influence of religion, the position of women, the influence of democracy on thought and on creative intellectual power, American oratory, *etc.*, — and contains the author's cautious forecast of the political, social, and economic future of the United States.

All through, the work is pervaded with the air of practical sense, the air of having been written by an experienced man of affairs, accustomed to handle institutions as well as to observe them. Besides, this observer is an Englishman without Eng-

[1] Vol. ii, chap. lviii, pp. 37–43. [2] Vol. ii, p. 41.

[3] For Mr. Bryce's recognition of the readiness of the people to receive and follow leaders whenever circumstances produce them, spite of institutions — an acknowledgment apparently not perfectly consistent with some other judgments of the book (*e.g.*, that any arrogation of a right to consideration, greater than that accorded to the ordinary, the average man, is resented) — see vol. ii, pp. 333, 334.

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lish insularity, with views given elasticity by wide studies of institutions and extensive travel. He understands us with the facility of one who belongs to the same race; but he understands us also in our relations with the politics of the wider world of Europe.

The work, however, has the faults of its good qualities. If it is full of acute and sage observation and satisfying in its wonderfully complete practical analysis, it gains its advantage at a certain sacrifice. The movement of the treatment is irregular, and even hesitating at times, like the varied conversation of a full, reiterative talker; and the internal plan of each part is lacking in executive directness and consistency, is even sometimes a little confused, reminding one now and again of the political system the author is describing. So judicious and balanced is the tone, too, that it is also a little colorless. It is a matter-of-fact book in which, because of the prominence and multiplicity of the details, it is often difficult to discern the large proportions of the thought. It is full of thoughts, thoughts singularly purged of prejudice, notably rich in suggestion; but these thoughts do not converge towards any common conceptions. It is rather, one may imagine, like that lost book of Aristotle's which contained his materials of observation than like the *Politics*. It carries one over immense distances characteristic of its great subject; but this it does by carrying one in many directions, in order to do which, from substantially the same point of departure in each case, it repeatedly traverses the same ground. In brief, it is an invaluable store-house of observations in comparative politics rather than of guiding principles of government inductively obtained. The facts, not the principles derivable from them, are prominent.

These underlying principles could not, indeed, have been made prominent without a much freer use, a much fuller use, of the historical method than Mr. Bryce has allowed himself; and it is in his sparing use of history that Mr. Bryce seems to me principally at fault. The other drawbacks to his treatment which I have mentioned are, no doubt, for the most part

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directly due to his purpose, clearly and consistently kept in view, to explore this rich field of politics in search of the facts only, not in search of generalizations. His method is that of thorough, exact, exhaustive analysis. But history belongs to the very essence of such a method: facts in comparative politics possess little value in the absence of clues to their development; and one cannot but wonder at the apologies which preface Mr. Bryce's occasional introduction of historical matter. Without more history than he gives there must be at least a partial failure to meet the demands of his own method. His work satisfies all who are in search of information, whether as to the existing facts or as to the formal historical derivation of our institutions. But its historical portions do not go beyond the formal history of measures and of methods to make evident the forces of national development and material circumstances which have lain behind measures and methods, and which, when once the nation gets past the youth of its continent, must work deep modification in its institutions and in its practical politics.

I can best illustrate what I mean by taking as points of departure Mr. Bryce's own clear statements of the views with which he approached our institutions. "America," he says, "is made all of a piece; its institutions are the product of its economic and social conditions and the expression of its character." [1] More pointedly and forcibly still does he express the same thing at page 404 of the same volume, in his chapter on *laissez faire*. He there reports himself as having said, to an English friend who bade him devote a chapter to the American theory of the state, "that the Americans had no theory of the state, and felt no need for one, being content, like the English, to base their constitutional ideas upon law and history." "No one doubts," he says, in another place, "that fifty years hence it [America] will differ at least as much from what it is now, as it differs now from the America which de Tocqueville described;" [2] and this difference, he is evidently ready to believe, may very possibly be a difference of institutions as well as a difference in material and social condition. Once again, in the chapters in

[1] Vol. ii, p. 473. [2] Vol. ii, p. 691.

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which he discusses the influence of democracy on thought and on creative intellectual power, Mr. Bryce insists, assuredly with perfect justice, that political institutions have comparatively little to do with intellectual product and quality, certainly in the case of the United States. There is really, when American institutions are compared with English, nothing essentially novel in our political arrangements: they are simply the normal institutions of the Englishman in America. They are, in other words, English institutions as modified by the conditions surrounding settlements effected under corporate charters, in separate but neighbor colonies; above all as dominated by the material, economic, and social conditions attending the advance of the race in America. These conditions it is, not political principles, that have controlled our intellectual as well as our political development. Mr. Bryce has frequently to say of propositions of de Tocqueville's that, although possibly or even probably true when advanced, they are now no longer true; for example, certain "supposed faults of democracy." Many things supposed to be due to democracy, to political ideas, have turned out, under the test of time, to be due to circumstances. So disconnected with institutions, indeed, are actual national methods and characteristics that even what Mr. Bryce says of American public opinion in his very suggestive and valuable fourth part will doubtless be true only so long as our country is new. Americans, he says, are sympathetic, but they are unsettled and changeful. This cannot remain true of the people of an old and fully settled country, where sympathy will lead to cohesiveness and to the development of local types of opinion, where variety, consequently, will take the place of that uniformity of life and opinion which now leads to a too rapid transmission of impressions and impulses throughout the whole body of the nation, — the quick contagion of even transient impressions and emotions. America is now sauntering through her resources and through the mazes of her politics with easy nonchalance; but presently there will come a time when she will be surprised to find herself grown old, — a country crowded, strained, perplexed, — when she will

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be obliged to fall back upon her conservatism, obliged to pull herself together, adopt a new regimen of life, husband her resources, concentrate her strength, steady her methods, sober her views, restrict her vagaries, trust her best, not her average, members. That will be the time of change.

All this Mr. Bryce sees; his conspicuous merit consists, indeed, in perceiving that democracy is not a cause but an effect, in seeing that our politics are no explanation of our character, but that our character, rather, is the explanation of our politics. Throughout his work you feel that he is generally conscious of the operation of historical causes and always guided by a quick appreciation of the degree to which circumstances enter into our institutions to mould and modify them. A reader who is himself conscious of our historical make-up and tendencies can see that Mr. Bryce is also. But it is one thing for a writer to be conscious of such things himself and quite another thing for him to convey to readers not possessed of his knowledge adequate conceptions of historical development. If our politics are the expression of our character and if that character is the result of the operation of forces permanent in the history of the English race, modified in our case by peculiar influences, subtle or obvious, operative in our separate experience, the influences, namely, of a peculiar legal status and of unexampled physical surroundings, then it is to the explanation of these forces and influences that every means of exposition ought to be bent in order to discover the bases of our law and our constitutions, of our constructive statesmanship and our practical politics. A description of our institutions, even though it be so full and accurate as to call for little either of criticism or addition, like this of Mr. Bryce's, will not suffice unless backed by something that goes deeper than mere legal or phenomenal history. In legal history Mr. Bryce leaves little to be desired: nothing could be more satisfying than his natural history of our courts with their powers of constitutional interpretation. The course of constitutional amendment, too, he traces, and all such concrete phenomena as the growth and operation of nominating conventions, the genesis and expansion of the spoils system,

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or of municipal rings and "bossdom," *etc.* But outside of legal and phenomenal history he seldom essays to go. If his method were that which de Tocqueville too often followed, there would be little reason why he should look further than visible institutions; if a nation can be understood by the single light of its institutions, its institutions may be made to stand forth as itself. But if institutions be the expression of the national life, as Mr. Bryce rightly conceives, that national life must be brought constantly forward, even in its most hidden aspects, to explain them.

Some passages of Mr. Bryce's work, indeed, afford ground for suspecting that he does not himself always make sufficient private analysis even of the forces operative outside of our laws and acting in support and vivification of them. Thus he permits himself the old expression that we are "trying an experiment" in government. This is not true except in the same sense that it is true that the English are trying an experiment in their extensions of the franchise and in their extreme development of ministerial responsibility to the Commons. We are in fact but living an old life under new conditions. Where there is conservative continuity there can hardly be said to be experiment. Again, Mr. Bryce's statement, — the old statement, — that 1789 witnessed the birth of a national government could be made only by one who had not analyzed the growth of the national idea, which is coincident with the conscious development of the national experience and life. Its truth in juristic theory may be cogently maintained; but from the lay historian's point of view, and particularly from the point of view proper to English institutional and legal history, it is scarcely true at all. In the first place, no people can be a nation before its time, and its time has not come until the national thought and feeling have been developed and have become prevalent. Until a people thinks its government national it is not national. In the second place, the whole history — indeed the very theory — of judge-made law such as ours, whether it be equity or common law, bears witness to the fact that for a body of English people *the fundamental principles of the law are at any*

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given time substantially what they are then thought to be. The saving fact is that English (and American) thought is, particularly in the sphere of law, cautiously conservative, coherently continuous, not carelessly or irresponsibly spreading abroad, but slowly "broadening down from precedent to precedent" within a well-defined course. It is not a flood, but a river. The complete nationality of our law, therefore, had to await the slowly developed nationality of our thought and habit. To leave out in any account of our development the growth of the national idea and habit, consequently, is to omit the best possible example of one of the most instructive facts of our politics, the development, namely, of constitutional principles outside the constitution, the thoroughly English accumulation of unwritten law. That there has been such an accumulation Mr. Bryce of course points out and illustrates; but because of his shyness touching the use of history, which he fears will be tedious or uninteresting, he leaves the matter, after all, without adequate analysis. For such an analysis is not supplied by his chapter (xxxiv) on "The Development of the Constitution by Usage." That chapter contains a history of measures, of certain concrete practices, but no account of the national sentiment which has so steadily grown into a controlling, disposing, governing force, and which has really become a most tremendous sort of "usage." It is a sketch of the development of the government rather than of the influences which have made the government and altered the conceptions upon which it rests.

This must be taken to explain also the author's somewhat inadequate view of the constitutional effects of the war of secession. He seems to judge the effects of the war by the contents of the thirteenth, fourteenth, and fifteenth amendments.[1] A European reader, I believe, would get the impression that our civil war, which was a final contest between nationalism and sectionalism, simply confirmed the Union in its old strength, whereas it in reality, of course, confirmed it in a new character and strength which it had not at first possessed, but which the

[1] Thus he expresses surprise at the slightness of the changes wrought by the war in the constitution — meaning, of course, the *formal* changes.

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steady advance of the national development, and of the national idea thereby begotten, had in effect at length bestowed upon it.

If Mr. Bryce was obliged to exclude such historical analysis from his volumes, whose whole spirit and method nevertheless suggest such an analysis, and seem to await it, if not to take it for granted, why then much remains to be done in elucidation of the lessons of government to be learned in America. Those lessons can be fully learned only from history. There still remains to be accomplished the work of explaining democracy *by* America, in supplement of Mr. Bryce's admirable explanation of democracy *in* America. Comparative politics must yet be made to yield an answer to the broad and all-important question: What is democracy that it should be possible, nay natural, to some nations, impossible as yet to others? Why has it been a cordial and a tonic to little Switzerland and to big America, while it has been as yet only a quick intoxicant or a slow poison to France and Spain, a mere maddening draught to the South American states? Why has England approached democratic institutions by slow and steady stages of deliberate and peaceful development, while so many other states have panted towards democracy through constant revolution? Why has democracy existed in America and in Australia virtually from the first, while other states have utterly failed in every effort to establish it? Answers to such questions as these would serve to show the most truly significant thing now to be discovered concerning democracy: its place and office, namely, in the process of political development. What is its relative function, its characteristic position and power, in politics viewed as a whole?

Democracy is of course wrongly conceived when treated as merely a body of doctrine, or as simply a form of government. It is a stage of development. It is not created by aspirations or by new faith: it is built up by slow habit. Its process is experience, its basis old wont, its meaning national organic unity and effectual life. It comes, like manhood, as the fruit of youth: immature peoples cannot have it, and the maturity to which it is vouchsafed is the maturity of freedom and self-control, and no other. It is conduct, and its only stable founda-

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tion is character. America has democracy because she is free; she is not free because she has democracy. A particular form of government may no more be adopted than a particular type of character may be adopted: both institutions and character must be developed by conscious effort and through transmitted aptitudes. The variety of effects produced by democratic principles, therefore, upon different nations and systems, and even upon the same nation at different periods, is susceptible of instructive explanation. It is not the result of accident merely, nor of good fortune, manifestly, that the English race has been the only race, outside of quiet, closeted Switzerland, the only race, that is, standing forward amidst the fierce contests of national rivalries, that has succeeded in establishing and maintaining the most liberal forms of government. It is, on the contrary, a perfectly natural outcome of organic development. The English alone have approached popular institutions *through habit.* All other races have rushed prematurely into them through mere impatience with habit: have adopted democracy, instead of cultivating it. An expansion of this contrast would leave standing very little of the reasoning from experience which constitutes so large a part of Sir Henry Maine's plausible *Popular Government*, and would add to Mr. Bryce's luminous exposition of the existing conditions of life and the operative machinery of politics in the greatest of republics something which might serve as a natural history of republicanism.

Mr. Bryce has given us a noble work possessing in high perfection almost every element that should make students of comparative politics esteem it invaluable. If I have regretted that it does not contain more, it has been because of the feeling that the author of *The American Commonwealth*, who has given us a vast deal, might have given us everything.

WOODROW WILSON.

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REVIEWS.

American Commonwealths: History of Tennessee. By JAMES PHELAN. Boston, Houghton, Mifflin & Co., 1888. — 12 mo, 478 pp.

Mr. Phelan has done a very creditable and scholarly piece of work. He has written a state history that deserves to stand with the best of those in the *Commonwealth* series, such as Mr. Dunn's *Indiana*, and in pleasing contrast to some others, such as the rather absurd *Missouri*.

Tennessee, like Kentucky and Vermont, without being one of the original thirteen states, nevertheless dates back to revolutionary times. The year after the Stamp act a little group of backwoodsmen, clad in hunting shirts and carrying long rifles, settled on the banks of the Holston and Watauga, in what is now the northeast corner of Tennessee. With the characteristic race-aptitude for self-government, they formed themselves into an orderly community, abiding by the laws and regulations of an elective committee, which exercised legislative, judicial and executive functions. Thus the Watauga Association, as they styled themselves, formed what was really a distinct and independent commonwealth, the first to introduce representative institutions west of the Alleghanies. They lived in primitive frontier style, in stockaded villages, or "forts," as they were then termed, each cluster of cabins being surrounded by a loopholed palisade of upright timber, with block houses as bastions at the corners. They fought the Indians and made treaties with them, hunted elk, buffalo, bear and deer, and with their light axes made clearings in the forest, on which they built their cabins and raised crops of Indian corn. The adventurous hunters penetrated far beyond the mountains, through the countless leagues of sunless forest that covered the face of the land. After wanderings that sometimes lasted for years, they returned to inflame the minds of the restless settlers with tales of the beautiful country that lay along the lower Cumberland and the Tennessee.

Mr. Phelan traces the growth of the pioneer community, its annexation to North Carolina, the part its settlers took in the battle of Kings Mountain, the planting of the colony at the bend of the Cumberland river, from which grew Middle Tennessee, and the rise and fall of that curious product of post-revolutionary disorder, the state of Franklin. He pays special attention to the two great border heroes and shapers of early Tennessee destiny, John Sevier and James Robertson; and he is one of the few historians who have ever shown a proper realization of the

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leading part played by the Irish Presbyterians in settling the West. His chapters on religion and schools are particularly good; and he elsewhere traces briefly but clearly the continuity of the Tennessee institutions, and their derivation in direct and unbroken line from English laws and customs. His account of the political struggles in Tennessee during the first half of the present century has more than a passing interest, for they will serve to illustrate a peculiar and important phase of our forefathers' thoughts and prejudices long after the contests themselves have passed from memory. It reconciles us somewhat to the lack of dignity in our present party contests when we read of the extraordinary antics by which candidates secured the suffrage of electors a generation or two ago. The author, with equal good taste and good sense, stops on coming to the Civil war.

Mr. Phelan's style is generally fairly good. He deserves especial praise for his impartiality, and his total freedom from that florid braggadocio which was formerly the bane of most, and is still the bane of many, local American historians; and he does not sin against good taste by the ridiculous use of such words as "knightly" and "chivalrous," in the manner still popular with a few of the more backward Southern writers.

He falls into one or two small errors. Thus he adopts the prevalent but unjustifiable theory of Lord Dunmore's treachery in the Indian war of 1774; and he follows a baseless tradition in putting Isaac Shelby into the Island Flats battle, whereas he was at the time hundreds of miles distant in Kentucky. But the book was well worth writing and is well worth reading.

THEODORE ROOSEVELT.

The History of Canada. By WILLIAM KINGSFORD. Vols. I, II. Toronto, Rowsell & Hutchinson; and London, Trübner & Co., 1888. — 486 and 564 pp.

The first two volumes of this work give the history of the French dominion in Canada, from its inception down to 1725; and, for the period covered, they undoubtedly form the most ambitious treatise on the subject that has yet appeared and, perhaps, the best of any of equal scope. Their greatest value lies in the fact that the author gives the original texts in many cases and the results of his examination of them in others. When, however, he states his own conclusions, we are seldom enabled to ascertain for ourselves their correctness, as he cites few authorities and cites these, for the most part, so vaguely as to give little aid to investigation.

While the historical narration is presented in an inartistic manner, marred by a certain crudeness of style, integrity of purpose and an

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industrious attention to detail are noticeable throughout. The book offers more attraction to the general reader than to the student of political science, as Mr. Kingsford narrates with great detail the military, religious and commercial struggles of the French colonists, and scarcely attempts to unfold the development of their political institutions. One of the main features of the work is the number of personal and geographical allusions. In mentioning persons the author gives many genealogies and biographies; but, unfortunately, he often refers to localities by the French, English, Indian, ancient and modern names indiscriminately, and one becomes bewildered in the absence of a map adapted to the text.

Mr. Kingsford begins, like other Canadian historians, with an account of the early voyages, dwelling particularly upon those of Cartier and Champlain. He gives great importance to the achievements of Champlain, and likens him to Julius Cæsar. He maintains that Champlain's ambition was to establish a well-organized royal province rather than missions of the Roman Catholic church. This position, so out of accord with the histories we have and the spirit of the day, is maintained by Mr. Kingsford with much vigor and sometimes specious reasoning.

The struggles of the French colonies, under the miserable domination of the company of New France, from soon after the death of Champlain in 1635 until Canada was made a royal province in 1663, is given with much interesting detail. Minute accounts are given of exploring expeditions, of the planting of trading posts, Roman Catholic mission stations and early settlements, of quarrels between the civil and religious dignitaries, and of Indian wars and treaties. Then follows an account of the successive administrations of the viceroys, royal intendants and governors-general, under whom the French colonists fought for a foothold in New France against their hostile Indian neighbors and the envious British inhabitants of New England. The second volume ends with the close of the career of Governor-General De Vaudreuil, 1725, which carries us to the beginning of the events that led a few years later to the conquest of Canada by Great Britain. Mr. Kingsford does not set forth the history of the Canadian constitution with all its interesting and varied social, political and religious estates; and he scarcely mentions the functions of the successive forms of government in the viceregal *régime*, 1540–1627; the company of New France, 1627–1663; and the "sovereign council," 1663–1760.

The work is a valuable contribution to the literature upon Canadian history; and although it may not be all that the student of political history might desire, it cannot fail to interest the student of Canadian affairs in general.

THOMAS D. RAMBAUT.

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An Introduction to English Economic History and Theory. Volume I: *The Middle Ages.* By W. J. ASHLEY, M.A., Fellow of Lincoln College, Oxford. London, Rivingtons; New York, G. P. Putnam's Sons, 1888. — 12mo, xiii, 227 pp.

This volume comprises three chapters. The first, entitled "The Manor and Village Community" treats of rural economy; the second, "Merchant and Craft Guilds," deals chiefly with town economy; while the third and longest is a review of "Economic Theories and Legislation." The range of matter covered in each is more comprehensive than would be gathered from the titles of the chapters. Mr. Ashley has put into a convenient and readable form a concise statement of the results obtained by scholars in the investigation of the subjects he takes up; but he is far from being a mere popularizer, for his valuable and interesting notes give evidence of a careful study of the sources.

The first essay opens with a clear and vivid description of a mediæval English manor. On the question whether the manor system was preceded in England by the mark system, Mr. Ashley seems to lean toward Mr. Seebohm's views, yet without forsaking a judicial attitude. He, however, seems to underrate the force of Mr. Freeman's philological argument against Mr. Seebohm's view "that the mass of the provincials or Romanized Celts were spared by the (English) conquerors." He says: "These arguments would be unanswerable could we suppose that Britain had been either so thoroughly Romanized or so thoroughly Christianized as the other Roman provinces. But this was certainly not the case." But this suggestion does not really touch the point. The significant thing in Britain is not that the Teutonic conquerors were not Romanized, but that they preserved their language nearly intact and their heathenism, too. On the Continent the conquerors lost both. If the British Celts after the conquest were in similar case with the Romanized Gauls, why does not the English language show a much more considerable infusion of Celtic elements?

In his generalizations on the economic character of the guild system, while it was yet intact, Mr. Ashley remarks the absence of any class of wage laborers. There were, therefore, no collisions between capital and labor. But it should be remembered that this can be said of only a portion of the history of craft guilds. As time went on, and town population increased both naturally and by immigration — in short, as soon as the guild system was brought to a real test — the wage laborers appear, and collisions between capital and labor. The masters become a privileged and capitalist class, and the journeymen, unable to pass the barriers set in the way of their becoming masters, are

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obliged to form defensive organizations. The struggles of capital and labor that ensued are described by Schanz, *Zur Geschichte der Gesellenverbände*, and more briefly in the first volume of Janssen's *Geschichte des deutschen Volkes*; and they compare very favorably in some respects with our latest developments in that line. Perhaps Mr. Ashley has deferred this part of the history of the guilds to his second volume. He continues:

> If, therefore, we compare the working-class of to-day with that of the fourteenth century, it is not with the journeymen, but with the master craftsmen that the comparison must be made. The most important contrast that strikes us is that the mediæval craftsmen were personally independent in a sense in which the modern workmen are not. He worked in his own shop, owned his own tools, and worked at what hours he pleased, subject to the restrictions as to work at night or on Sunday.

It seems to me that Mr. Ashley is in error here, and that his error serves as the basis of a good deal of loose declaiming against modern society. If we make the comparison he suggests, we are comparing two utterly unlike things. The modern operative class is the creation of the age of steam and inventions. It is a new class. The same is true to a less degree of the modern capitalist class. The economic counterpart of the mediæval craftsman exists to-day. He is the modern carpenter, smith, jeweller, tailor, builder, *etc.* With the exception of the guild organization, the parallel is complete. In these callings there are apprentices, journeymen and masters. The weaver, spinner, *etc.*, have disappeared and their place is taken by the operative and his half dozen looms. Now if we compare the modern operative with the mediæval master craftsman, we are comparing him to an industrial small capitalist. He should be compared, if we must make what is in any case a questionable comparison, with the nearest mediæval counterpart to a wage worker, the journeyman. Is not the truth of this shown by the fact that the masters developed into capitalists, and the journeymen finally settled into a class of employees? I have said that the modern tailor is the representative in our time of a mediæval craftsman. In the same line of business we have the large manufacturer of ready-made clothing and his operatives. If we compare these two lines of clothes-making shall we compare the operative in a clothing manufactory with the tailor or with his employees? That the latter may at some time set up for themselves is neither here nor there as regards this comparison. This example shows how ineffectual these comparisons of modern with mediæval industrial life are apt to be if anything is to be proved by them. Considerable socialistic agitation is based on such false comparisons, and the false conclusion that the working-class have

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not profited by modern industrial development. Is it not the fact that in England, for instance, the true modern counterparts of mediæval craftsmen and traders exist in far greater numbers than ever before, and in greater comfort, while at the same time there is an immense operative class, and a wealthy capitalist class in addition? Is it not also true, while there is a greater gap between this operative class and the capitalist class than existed between a mediæval weaver and his journeyman, or than exists between a modern tailor and his cutter, that the range of comforts and conveniences within the reach of the operative much surpasses those accessible to the mediæval journeyman, or in many cases to the mediæval king? — Before leaving this subject, I may remark that those who would like to relieve the severer study of their history with a literary picture which throws an interesting light on the craft spirit will find such diversion in Dekkar's *Shoemaker's Holiday* and his Rabelaisian creation, *Simon Eyre.*

In the chapter on "Economic Theories and Legislation," Mr. Ashley reviews the economic doctrine of the canon law. He says that in the earlier period of the middle ages the condemnation of trade by the clergy

> might weigh hardly on individuals, but did not impede any useful circulation of goods. Certainly the condition of Western Europe long after the establishment of the Teutonic kingdoms was such that it could do but little harm and probably did great good. It could do little harm because there was scarcely any commerce, and such commerce as there was was directed to the supply of articles of luxury for princes and nobles.

He adds that the teaching of the church on worldly goods must have been beneficial in that it stimulated the clergy to rebuke the greed and violence of the powerful. Further on, the ecclesiastical condemnations of usury are commented upon in a similar vein. Without denying that there may be some truth in this, it seems to me that Mr. Ashley yields too much to the desire to find for the economics of each age a justification from the character of the times. He seems to hesitate to declare a doctrine an error. It is of course merely a question of judgment, but I suspect that he underestimates the amount of trade in this period. Again: upon what grounds does he decide whether a given circulation of goods was "useful"? That some circulation was impeded he acknowledges in his reference to the hardships imposed on individuals. The influence of trade then, as later in its great development after the crusades, was civilizing. Trade in its very nature was hostile to the "greed and violence of the powerful." It was antagonistic to feudalism: a fact which the nobles understood. So far as the church discouraged trade and the accumulation of capital, so far it hindered the

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development of society in Europe. There might have been partial compensations. Rarely is any moral theory of life wholly wrong. The church's condemnation of usury is in a measure justified, or given a more rational aspect, on the ground that there was no field for investment, and that consequently the possessor of capital suffered no loss from a well secured but gratuitous loan. But surely among the obstacles in the way of the development of a field for investment was the hostile attitude of the church against gain. It disapproved of gain and in general of any economic effort beyond extractive industry and the simpler forms of manufacture. Thus the teaching of the church was in part responsible for the condition which is cited as justifying that teaching.

The second volume of this work is announced for publication this season. Mr. Ashley has recently accepted a professorship in the University of Toronto and thus joins the ranks of American economists, by whom his accession will be welcomed.

EDWARD G. BOURNE.

Œuvres économiques et philosophiques de F. Quesnay, fondateur du Système Physiocratique: accompagnées des éloges et d'autres travaux biographiques sur Quesnay. Par AUGUSTE ONCKEN. Francfort s/M., Joseph Baer, 1888. — Large 8vo, xxiv, 814 pp.

Dupont de Nemours et l'École Physiocratique. Par G. SCHELLE, Paris, Guillaumin, 1888. — Large 8vo, 456 pp.

Turgot. Par LÉON SAY, de l'Académie Française. Paris, Hachette, 1887. — 12mo, 208 pp.

Turgot. By LÉON SAY, of the French Academy. Translated by MELVILLE B. ANDERSON. Chicago, A. C. McClurg, 1888. — 12mo, 231 pp.

It is remarkable that a system of economics so important in its time as that of the Physiocrats should never yet have received a careful exposition, much less a successful refutation. Adam Smith indeed devotes several chapters of his great work to a review of their doctrines, but the discussion is very defective. Adam Smith himself, moreover, was in one sense a Physiocrat. Although he opposed their doctrine of a single land tax and of agriculture as the sole source of wealth, he shared with them the cardinal doctrines of natural law and of natural liberty, even if his Scotch common sense led him to temper here and there their extravagant assertions. But Smith was under deeper obligations to the Physiocrats than many imagine. It is well known that he was a student of

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Quesnay in Paris, and that his intention to dedicate the *Wealth of Nations* to his old friend and master was frustrated only by Quesnay's sudden death. But what is not so commonly known is that not only whole sentences, but whole paragraphs of Smith's work, are taken almost *verbatim* from the works of the Physiocrats, especially Quesnay and Turgot: so the celebrated four maxims of taxation; so the discussion of the division of labor, and the very example used by Smith, that of the pin manufacture with its divisions into eighteen operations; so the vital parts of the discussion of wages and of profits, of natural price and value. It is not an exaggeration to say that a great part of orthodox political economy owes its origin and even its present shape to the labors of the Physiocrats.

Hitherto we have had to depend mainly on the Guillaumin two-volume collection of the chief writers and on Dupont de Nemours' great edition of Turgot's writings. Complete editions of the works of the two founders — Quesnay and Gournay — have been lacking. In the case of Quesnay this lack is now supplied by the sumptuous collection of Professor Oncken. The text, of course, is printed in French, and the preface and the notes of Dr. Oncken are also written in that language. In his little work, *Die Maxime Laissez faire et laissez passer*, which was reviewed in the QUARTERLY for December, 1887 (volume ii, p. 706), Professor Oncken already manifested a thorough acquaintance with the details of the Physiocratic doctrines. The extent of his researches is seen in the present volume; for not only has he collected Quesnay's writings from every possible source, — the *Encyclopédie*, the *Journal de l'Agriculture*, the *Ephémérides du Citoyen*, the *Mémoires de l'Académie Royale, etc.*, but he has added numerous explanatory notes giving interesting detailed information from out of the way quarters. The result is a compilation which must remain the standard work on the topic, and whose only glaring fault is the entire lack of an index.

In this edition of the work of "*mon penseur*," as Louis XV was wont to call Quesnay, three points arrest the attention. The first is the evident inability of the editor — or, for that matter, of any one else — to give a lucid explanation and defence of the work of "sublime genius," as some termed it, the famous *tableau économique*. The remark of Mirabeau is well known: there have been three marvellous inventions in the world — the art of writing, the use of money, and the production of the *tableau économique*. The table was supposed to represent the distribution of national wealth according to Physiocratic ideas, and many of the commentators made of it a series of cabalistic mysteries. Probably because so few understood it, everybody was enthusiastic. It was looked upon as the Bible of the new school. Mothers taught it by rote to their children, and whoever had thoroughly mastered it was supposed to be a complete economist and statesman. And yet a repeated reading of it

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must force on all the conclusion that this artificial enthusiasm was a ridiculous uproar made over a preposterous proposition.

The second point is a result of perusing Quesnay's work on China. Perhaps the most absurd of the Physiocratic doctrines was the endeavor to reconcile the immutable principles of natural liberty and equality with a defence of absolute paternalism in politics. The Physiocrats curiously enough agreed with the advocates of the German *Vielregiererei* or *Polizeistaat* in setting up China as their ideal. Nothing is more amusing than to hear, not only Quesnay, but his important followers like de la Rivière, Beaudeau, and le Trosne sing the praises of the absolute monarchy, and to note how they attempt to escape from the dilemma by asserting that the despotism must not be arbitrary, but a legal despotism in accord with the "natural and essential order" of society.

The third point refers to a phrase usually misunderstood by commentators, but whose import Oncken clearly perceives. I refer to the epithet "barren" or "sterile" as applied to commerce and industry. As one of the Physiocrats said later on: "The unproductive arts, far from being useless, constitute in a state the charm and maintenance of life, the preservation and happiness of mankind." In other words, industry and commerce are barren in opposition to productive, not barren in opposition to useful.

It must not be supposed, however, that these criticisms imply a disrespect of the Physiocratic doctrines. Modern economics owes much to Quesnay and Gournay. Physiocracy was a product of the cosmopolitan current which ran through France during the middle of the eighteenth century, and which found its expression in politics and philosophy, as well as in economics. The Mercantilists had laid stress on the national element, the Physiocrats emphasized the international, the universal view. The *ordre naturel* is to them the great law of justice, the ethical and social factors of prosperity. Whatever modern economists may think of "natural law," they must recognize that the Physiocrats did a good work in positing the demands of justice, as an ideal towards which to work, and in calling attention to the moral effects of economic institutions. The Physiocrats saw that political economy was not merely the "science of exchanges," but that it had in view a reconciliation of wealth with justice. Apart from their positive views in matters of production and taxation, the Physiocratic influence was great, and many of their fundamental propositions may be found in a slightly disguised form in the works of the great English economists who soon followed. Viewed from the historical standpoint the Physiocratic system was defensible, beneficial, and even necessary, even though from the purely critical standpoint of to-day we may regard some of their doctrines as exaggerated and untenable.

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Dupont de Nemours was a pupil of Quesnay, but a man of far different character. He was the great popularizer of the Physiocratic tenets, and gave the school the name by which it is now known. M. Schelle does not attempt to reproduce all his works: that would be a stupendous undertaking, as appears from the mere list of his writings, which occupies thirty-three pages (pp. 399–432). M. Schelle has set himself the more modest task of outlining his hero's history and especially his activity as a legislator during the French revolution, showing that Dupont was always to be found on the side of sound doctrines. It is a familiar fact to Americans that the exiled Dupont sought an asylum and finally died in this country. His efforts to found a national university in the United States, comprising as one of its branches a school of political and social science, are perhaps less widely known. M. Schelle's book is based mainly on unpublished letters, *etc.*, — many of them in France but most of them still in this country. Dupont's descendants in Pennsylvania and Maryland still possess a vast mass of his correspondence, including letters from the most famous economists of the age. Some of the most interesting and valuable parts of the volume contain extracts from this correspondence, especially the letters of his life-long friend Turgot. Schelle states that he did not receive the permission to publish the correspondence; it is to be hoped that Dupont's descendants may soon recognize the propriety of publishing it in full, for it would undoubtedly throw much light on several dark corners of economic history and theory. M. Schelle has given us a capital book, and has moreover provided it with a valuable index.

Of all the Physiocrats Turgot is perhaps the most celebrated. The biographies hitherto published — those of Batbie, Mastier, Tissot and the recent work of Neymarck — have all been more or less unsatisfactory from the purely economic point of view. This little work of the eminent French economist and statesman Léon Say, which appears as one of the series of the *grands écrivains français*, is admirable in many respects. It does not of course pretend to be exhaustive; but it brings out very happily the salient features of each of Turgot's economic reforms, and gives a good bird's-eye view of his theories. Turgot is to the Frenchmen very much what Adam Smith is to us. They consider him the founder of the present political economy, the one who more firmly than anybody else broke with the mediæval system of restriction and laid down the guiding principles of our modern industrial life. And that is indeed true. The skeleton of Adam Smith's whole treatment of the production and distribution of wealth may be found in Turgot's *Essai sur la formation et distribution des richesses*. Numberless passages in the *Wealth of Nations* are literal excerpts from Turgot's other writings, while in some respects Turgot was absolutely correct where Adam

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Smith was in the wrong. So, for example, in the matter of usury laws, which Adam Smith upheld but which Turgot completely demolished. Were the famous author of the "six great edicts" to be studied abroad as he deserves, many theories would be traced further back than they are at present. To Turgot we owe the first analysis of modern distribution into wages, profits and rent; to Turgot we owe the discussion of division of labor and the nature and employment of capital; in Turgot we find the iron law of wages, the great arguments against corn laws, the overthrow of the guild system, some of the fundamental principles of taxation, and a host of other important doctrines.

M. Say looks upon Turgot, all of whose reforms while minister were abolished after his disgrace, not as a failure but as a success. "If he failed in the eighteenth century, he has prevailed in the nineteenth." For M. Say correctly finds that the greatest bequest of Turgot to the present age is the principle of freedom of labor. But M. Say, like the true orthodox economists of whom he is so perfect a type, turns this principle into a weapon of attack on the "socialist" and the "liberal" or "radical" school of economics. The moral of M. Say's book, and perhaps the most interesting portion, is the contention that the "new schools" are weak when they pretend to find a cure for modern industrial disturbances in the suppression of freedom of labor. But he is forced to confess that Turgot made a mistake, or at all events did not adequately foresee the future, in prohibiting, together with the guilds, all labor combinations. And thus M. Say is brought to the quandary: How can freedom of labor be reconciled with freedom of association? Should not precautions be taken against the possible oppression of individuals by associations that are free to do anything? And with this quandary, from which he makes no attempt to extricate himself, M. Say closes his most attractive little book.

The dainty little volume by Mr. Anderson, in which we have for the first time an English account of Turgot's life and works, is a good translation. It is difficult to see, however, why *jurandes et maîtrises* are continually translated as trade-guilds, in lieu of the more common and more accurate craft-guilds. It would have been better, moreover, in using the words "right to labor" to explain the difference between the *droit de travail* and the *droit à travail*—always a fertile source of confusion to the uninitiated.

EDWIN R. A. SELIGMAN.

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German Socialism and Ferdinand Lassalle: A Biographical History of German Socialistic Movements during this Century. By WILLIAM HARBUTT DAWSON. London, Swan Sonnenschein & Co., 1888. — 12mo, 292 pp.

As the title of this work indicates, its author, who seems to incline to a mild form of state socialism, has attempted, in a series of biographical sketches, to give the history of the socialistic movement in Germany from its appearance at the revolution of 1848 to the present, its "era of repression." In his first chapter (which is really the introduction, rather than pages 1–13), Mr. Dawson sketches in a vigorous manner the historical basis of socialism, its source in the unequal condition of the laboring class in Germany under the rule of the *bourgeoisie*, and its hopeless estrangement from the government — even from a prospective government by the Liberals. Before reaching what are probably the most valuable pages of his work, his discussion of the three best-known names in the socialistic movement, the names of Rodbertus, Marx, and Lassalle, Mr. Dawson treats of "early communistic and socialistic theories," according to his biographical method, in brief essays on Von Thünen, Prof. Winkelblech (Karl Marlo), the fanatic Weitling, and the two contemporaries of Marx, Karl Grün and Engels.

In his account of Rodbertus, of Marx, and of the chief person in his book, Ferdinand Lassalle, the author has gone more into detail. The pages on Rodbertus, whose aversion to the *socialisme violent* of Lassalle preserved him from an active part in the political agitations at the beginnings of socialism in Germany, are of a complete and gratifying character. The study of Marx is characterized by an equal candor; but *Das Kapital*, as is not to be wondered at, made the difficulties here much greater. The author, moreover, as one is constrained to fear, has attempted both Marx and Lassalle without taking Hegel sufficiently into the account; and without Hegel the presentation of socialism from an historical or critical point of view can hardly be a successful one in the highest sense. On Lassalle, the romantic figure in the history of socialism, Mr. Dawson has done his most exhaustive work; and from his evident acquaintance with the facts in Lassalle's life, the hope was excited that we should have a Lassalle, if not so wholly different from the one of de Laveleye, of Ely, of Rae and even of Mehring, yet a more definitive Lassalle, more nearly the Lassalle of history, than we have yet had up to this moment. But it amounts almost to a disillusion when Mr. Dawson puts into the foreground, as his chief authority, George Brandes's uncritical eulogy. Brandes, like Heine, is inclined to see, in Lassalle's egotism and rebellion universal, the equipment of a "Messiah"

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for the nineteenth century. After this, one is not surprised to find Lassalle — who by the two more dignified historians of socialism, Franz Mehring and de Laveleye, is given merely the rôle of an eloquent agitator, the interpreter of Marx — figuring in Mr. Dawson's book as the greatest of the socialists. Mr. Dawson's Lassalle is uncritical and dramaturgic: not far removed from the "Messiah" of Heine and Rudolf Meyer and from the hero of the Countess Hatzfeldt and Helena von Racowitza.

In many instances Mr. Dawson has not claimed too much for Lassalle. With respect to his eloquence at any rate, this could scarcely be done; for although the character of his audiences as well as that of his subject put beyond his reach the dignity and the higher earnestness of the greater orators, Lassalle as an orator stands almost alone in Germany. Since Tauler and Luther there has been no more genuine eloquence heard there; and in Lassalle's "stump-speeches" — for they were chiefly that — one may find, in spite of a mass of misrepresentation and often of vulgarity, passages of a grand and pathetic character truly phenomenal in heated harangues before audiences of laboring men. And one can also call Lassalle much more than orator: it was not entirely a vain boast, when he declared that he had at his command the whole culture of his age. His erudition was great, and, as his *Heraclitus* and his *System of Vested Rights* show, he could make use of it. To all this we must add his attractive personality, his "magnetism"; he was precocious, the *Wunderkind* of Boeckh; he was unusually handsome, and in the conduct of his life he had the boldness and the address of a Beaumarchais or of a Disraeli — of the best of those attractive Bohemians in history to whom the world has been a field for personal adventure. We may grant all this, and may be willing to extenuate even more than Mr. Dawson does the disastrous affair with Madame von Racowitza and Lassalle's offences in general against the proprieties of his day, and may yet revolt from accepting Lassalle either as a great leader or as a great man. We dare not use these words so freely. Lassalle's corroding and unremitting vanity, which could not lay claim even to *naïveté*, his distrust of his own movement, the consciousness that he was plying in part a "*métier de dupe*," and finally his desertion of his cause in its most desperate moment for his fatal love affair, are not messianic traits; they are traits which are lacking in the terrible earnestness of the coarser Karl Marx. If socialism is to have a chief of the apostles, it should be Marx.

But however much we may differ with Mr. Dawson as to Lassalle's real place, we must testify to the honest and thorough manner in which he has put before us the facts of Lassalle's life. He has given us in his intentionally uncritical method a chronicle rather than a history; but he has gone too directly to the sources for his matter not to insure the

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importance of his book. It is the product of an honest and philanthropic mind, and will probably take precedence both of Rae and Ely, as a contemporary's account of a social movement which must more nearly spend itself before its history can be written.

LEWIS J. HUFF.

The Stability of Prices. By SIMON N. PATTEN, Ph.D. Publications of the American Economic Association. Vol. III, No. 6. Baltimore, 1889. — 8vo, 64 pp.

In his *Premises of Political Economy* Professor Patten re-examined some of the cardinal theorems of economics from an original point of view and showed the necessity of making important corrections in many of the accepted doctrines, and especially in the Ricardian doctrine of rent. In the present monograph he greatly improves his account of rent and applies it to an explanation of the characteristically modern phenomena of great and frequent changes in the prices of commodities. The simple Ricardian theory of rent fully accords with fact only when land is devoted to a single use, as the growth of wheat. When people begin to vary their diet and the uses of land are multiplied, the economic gradation of agricultural lands disappears. The piece that was poorest for wheat may be best for corn; there is no longer a margin of no-rent land; so, although produce increases, there is no longer a natural condition determining its distribution. The secure income of each of the three factors of production, labor, capital and land, is the minimum sum that will just keep it in productive activity in undiminished quantity. The total produce greatly exceeds this minimum. The surplus would go to the landlords, if Ricardian conditions prevailed; but, as good land is no longer economically protected by poor land, surplus income has no certain distribution and becomes the means of first disturbing and then altogether destroying the old stability of prices. In the first effort to restore stability, surplus income is wasted in efforts to attract the attention of buyers through agents and advertising instead of by price cutting. A second attempt is the trust. A third will be made, as Professor Patten thinks, when the public takes the surplus in taxes to be devoted, through educational and other agencies, to raising the standard of living, which determines the minimum wages of labor. Before arriving at this point, Professor Patten prepares the way for such a plan of taxation by offering a general law of distribution, as follows:

> Of the factors necessary for production, that factor which tends to increase at the slowest rate, will reduce the shares of the other factors to their lowest possible limits, will have the benefit of all improvements and must bear all permanent burdens.

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Professor Patten regards labor as normally one of the rapidly increasing factors, and believes that wages must therefore fall to a minimum. He holds that there is no way of permanently raising wages but by raising the standard of living, and that the burden of taxation cannot fall on labor. Land he regards as normally the most slowly increasing factor.

These conclusions are questionable. Wages are evidently not at a minimum so long as labor is increasing faster than some other factor of production, and until they are at a minimum labor can be made to bear the burden of taxes. Taxes also check the accumulation of capital and so in another way operate to the disadvantage of labor. In whatever way we look at it it is difficult to see how the standard of living is to be raised save as wages are raised first. Professor Patten speaks in one place of actual rent as remaining for centuries above normal rent. May not actual wages remain for generations above mere subsistence wages and thereby afford means for continuously raising the standard of living? Certainly they may if capital is a more rapidly increasing factor of production than labor. And normal wages must be steadily rising wages, regardless of the standard of living, if labor, instead of land, is, after all, the most slowly increasing factor of production. And is it not? Has Professor Patten seen all the implications of his account of land? Does not the multiplication of the uses of land, which he so admirably describes, raise the intensive margin of cultivation faster than the diminishing returns of each particular crop lower both the intensive and the extensive margins together? Is it not a legitimate conclusion from his premises that land has become, and must henceforth continue to be, the most rapidly increasing factor of production, and that, therefore, falling prices of commodities, which he regards as an evil, cannot lower real wages but must increase them?

F. H. GIDDINGS.

Le Logement de l'Ouvrier et du Pauvre. États-Unis, Grande-Bretagne, France, Allemagne, Belgique. Par ARTHUR RAFFALOVICH. Paris, Guillaumin et Cie, 1887. — 8vo, 486 pp.

The social troubles of the old world are not only appearing in our country, they are growing apace. In 1838 the first tenement house in the United States was built in Gotham court, New York; to-day over one million of the inhabitants of New York are living in tenement houses. We are face to face with the problems which have been agitating Europe for half a century. How and where to lodge the poor has become well-nigh the most important municipal question in many modern cities.

M. Raffalovich, who is favorably known as the author of several recent

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works, and as an arch-enemy of everything that savors of socialism, has produced a very readable and comprehensive book on the methods in vogue in the principal countries of the world. He gives a good survey of the legislation in America, England, France, Germany and Belgium, and recounts in detail the chief experiments that have been made in the way of private initiative and governmental co-operation. To those not acquainted with the facts the book may be recommended as a trustworthy guide and as a judiciously written *résumé* of actual conditions. Viewed as a statement of what is, I have no criticism to urge against M. Raffalovich's book; regarded as an exposition of what ought to be, there are perhaps several points on which issue might be joined.

One of the truest remarks of the author is that the root of the trouble is the poverty of individuals. In the American tenement houses, as is well known, one of the most serious evils is the overcrowding of rooms due to the taking in of "boarders" and "lodgers" of both sexes. Several years ago it fell to my lot, as director of the Sanitary Aid society, to supervise the inspection of every house in a given ward of New York city; and I was forced to the conclusion that the main cause of the squalor, unhealthiness and misery was the simple inability of the parents to eke out a sufficient amount to pay even moderate rents. Viewed in this light the tenement-house question becomes simply a part of the larger social problem. At the same time we must not lose sight of the fact that in many cases the rents are exorbitant and the accommodations scandalously inadequate in every respect. This result is due principally to the inordinate greed of the house owners, who earn, in New York at all events, from ten to fifteen and in some cases even twenty-five per cent net profits on the investment. Here, immediately, we see the opportunity for model dwellings companies which shall satisfy themselves with a moderate return on the capital. For while municipal boards of health may accomplish something, it is exceedingly difficult to cope with the natural instincts of rapacious landlords. The author refers to one or two of the New York companies, but makes no mention of a recent and, as it seems, most promising experiment. The "Tenement House Building Company" has completed a number of buildings in one of the worst districts of the city, limiting the rate of dividends to four per cent and applying the surplus to a plan of rent-insurance, whereby the inmates may ultimately be made rent free. Thus far its history is most encouraging; and as soon as it is reasonably certain that the projected revenue may be counted upon, it is proposed to appeal to the public for large sums and to reconstruct entire sections of the city. The buildings themselves, it may be said, are truly model tenements, and superior to anything of the kind in England or elsewhere. Private initiative may in this way accomplish much.

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It even becomes a question whether it may not be advisable for the municipalities themselves to aid indirectly in the construction of such model tenements. M. Raffalovich objects strenuously to the direct intervention of the government, and he is perhaps correct in this respect. But the policy of city loans to well-established companies and under carefully defined safeguards may at all events be discussed. M. Raffalovich is very much opposed even to this mediate intervention, and maintains that the French experiments have been disastrous and costly. But he does not seem to give sufficient weight to the English history of tenement-house reform, which proves that municipal aid to large companies is, under certain conditions, both practicable and salutary. We may not yet be ripe for this method in America, and the danger of democratic agitators converting the demand for municipal aid into a plea for free rents is always present. But the situation is becoming so horrible in some of our larger cities that, if the private companies are not soon able to attract sufficient capital for extensive alterations and undertakings, the question of municipal loans for tenement-house reform, as in England, will soon be upon us. Let us try private initiative as long as possible. But if that continues to be a failure, what then?

EDWIN R. A. SELIGMAN.

First Report from the Select Committee of the House of Lords on the Sweating System. London, 1888. — Folio, 1032 pp.

This report carries us back to the days of Charles Kingsley and *Alton Locke*. The "sweating system" is in full revival in London, and it is again the era of "cheap clothes and nasty." The "sweater" is a man who takes a bundle of clothes, already cut, from the manufacturer and carries them home to be made up. In his small room, sometimes a living room, sometimes a shop built out over the yard, he employs a number of men to assist him. There, crowded together in an atmosphere made foul by gas, by the coke fire for heating the pressing irons and by human breath and exhalations, with total disregard of all sanitary rules, these men sit and work 14, 16, and 18 hours a day. The "sweater" receives one-half of the sum paid for the work, distributing the remaining one-half among his employees. There is constant competition among the "sweaters" to obtain the clothing, and so the price is driven lower and lower and the wages of the men become less and less. The men themselves are helpless. It is either work or starve. The labor itself is practically unskilled. A "greener" can learn it in a month's time; and it is no longer necessary to shut the men up, as in

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Alton Locke. They know that if they leave, others will be found to take their place. All day long they do not stir from the shop. The employer gives them a cup of coffee in the morning and a cup of tea at night and they bring their own dinner. The earnings of the women, who take the lighter work home, are still worse. Women sew shirts for 7*d.* and 8*d.* a dozen, finding their own cotton and paying 2*s.* 6*d.* a week rent for the machine. By hard work a woman can make two dozen shirts a day. The same system exists in the boot and shoe trade and in furniture making.

The evidence points very conclusively to the existence of the "sweating system" and to the evils connected with it. As to the cause of its revival the witnesses were not so well agreed. Some traced it to the immigration of Russian and Polish Jews since 1880–1882. Certain branches of the clothing trade have gone almost entirely into their hands. There is a constant immigration also of provincials into London, and these destitute people easily fall into the hands of the "sweater." The shirt makers are largely the wives of dock laborers and other workmen having uncertain employment, and the wife takes this poorly paid labor when the husband is idle. These people furnish the material on which the "sweater" preys; but the real cause of the "sweating system" is the intense competition in making goods cheap without regard to quality. The private workshop is outside of the factory act and, even where it is a workshop within the meaning of the act, the force of inspectors is entirely insufficient to enforce the regulations. Hence we have the long hours of labor for women and boys, the unsanitary conditions for all classes of work-people and the easy evasion of the law. The goods, however bad in quality, find a sale at a price sufficient to compensate the maker, and the system of giving the work to the lowest bidder acts like a screw in each successive stage of contracting to wring the last farthing out of the person giving the labor.

The remedies suggested by the witnesses, both employers and workmen, indicate the necessary evolution of the whole system. It is simply to bring these workshops under the purview of the factory act, compelling a man who employs other persons to work for him to register his place as a workshop even if it be his own house or lodging; and to combine the work of the sanitary inspector who is now under the parish with that of the factory inspector who is under the Home office, and increase the number of inspectors so that the work may be done efficiently. It is a curious fact that the factory, which has been so much denounced by workingmen, has become a means of protection to them, and the home the place where they are most mercilessly exploited. It is plain that we must extend the factory system to all trades where the goods are manufactured in such quantities that this excessive competi-

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tion in lowering the price of labor is felt. The state is obliged to fix the conditions under which the laborer sells his labor. There seems to be no other way out of it.

RICHMOND MAYO SMITH.

Report from the Select Committee on Emigration and Immigration (Foreigners); together with the Proceedings of the Committee, Minutes of Evidence, and Appendix. London, 1888. — Folio, ix, 313 pp.

Correspondence relating to Chinese Immigration into the Australasian Colonies; with a return of Acts passed by the Legislatures of those Colonies and of Canada and British Columbia on the subject. London, 1888. — Folio, 87 pp.

The committee of the House of Commons to investigate the question of immigration reported that they had examined a number of witnesses, and recommended that a similar committee be appointed the next session. The testimony which they have printed was largely controversial in character and led to no definite conclusion. They found that there was no means of ascertaining the number of foreigners arriving in England. Although there is a statute of 6 William IV, directing that the captain of every vessel arriving in the United Kingdom shall give to the custom-house officer a list of all alien passengers, this law has fallen into abeyance: returns are made only from the ports of London and Hull, and no attempt is made to control even these. It is therefore utterly impossible to ascertain the strength of this immigration movement, and doubly so because much of it is only *in transitu*. Estimates of the actual number of immigrants arriving who stay in the United Kingdom varied from 9,000 per annum up to 100,000. Mr. Robert Giffen was of the opinion that it would be extremely difficult and annoying to commerce to compel a return of passengers landed in the country.

The alleged flooding of the country with foreign workmen and driving out of English workmen was not proven very conclusively, although a number of workingmen made vigorous assertions to that effect before the committee. It does appear, however, that two or three trades — tailoring, boot and shoe-making, and cabinet-making — have gone over into the hands of aliens, and that certain streets in London are now inhabited almost entirely by foreigners. It also appears that the revival of the "sweating system" has been due mainly to these new arrivals, who are willing to take any wages they can get, who live in the poorest way, and whom it is impossible to organize into trades unions.

The larger part of this immigration since 1880 has consisted of poor

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Russian and Polish Jews, driven from home by religious persecution. To aid these destitute co-religionists, the wealthy Jews of London established two institutions, the "Poor Jews' Shelter" which should aid the immigrants temporarily until they could find work, and the "Board of Guardians" which should help those who could not find employment to return to their native country, or to proceed to America, or to set up a trade with borrowed capital. In regard to these people the testimony of witnesses and the questions of the members of the committee were largely polemical in character. It was maintained that these immigrants were of the lowest class, and that these charitable institutions had the direct effect of attracting to England great numbers of these undesirable persons. The officers of the institutions and the Jewish members of the committee attempted to controvert both charges, especially the latter. They asserted that the greater part of the arrivals wanted to continue their journey to America, and that the Board of Guardians helped them to do that or, where they were not fit to go to America, returned them to Russia. In this way it was maintained that any great increase in England was prevented and that in some years the emigration exceeded the immigration. As this matter is of considerable interest to us in this country, I give the table submitted by the Board of Guardians:

Arrivals and Departures of poor Jews during the five years 1882–1886.

Arrivals	6,330 cases, representing	12,384 individuals.
Departures	4,982 cases, representing	8,429 individuals.
Balance	1,348 cases, representing	3,955 individuals.

The officers of the board asserted also that they had made every effort to prevent any further coming of these classes by inserting warnings in newspapers and by placards, and by asking the Continental societies not to give them aid.

The investigation disclosed no effort on the part of employers to import cheap labor, and only a single instance of the employment of foreign laborers outside of London has as yet been brought to the attention of the committee. No remedy was proposed except by Mr. Arnold White, who advocated the adoption of the American act of 1882, compelling ship owners to carry back convicts, paupers and persons unable to support themselves. The whole difficulty seems to be rather petty when compared with the enormous immigration that we have to deal with on this side of the water; and that it was considered important enough for investigation by a parliamentary committee shows how much more sensitive to public opinion the English government is than the government in this country.

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The correspondence between the Home government and the Australasian colonies in regard to the immigration of Chinese is interesting as reflecting public opinion on that question. The Australians are determined to keep out the Chinese at all hazards. For this purpose each of the colonies has passed a law imposing on each Chinese immigrant a head tax of 10 pounds sterling, and forbidding any ship captain, under heavy penalties, to bring more than one Chinaman for every 100 tons of his ship's burthen. The Chinese minister in London protested against these acts, discriminating against the Chinese among all the immigrants, as insulting to his country and in contravention of treaties between the governments of Great Britain and China. The Home government, divided between its desire to gratify the colonists and its disinclination to offend China, heard eagerly the report that a treaty had been signed between the United States and China by which the latter had voluntarily consented to the exclusion of its citizens from the United States, and begged of the colonies to refrain from violent measures for a while to see if the same object could not be obtained by way of treaty and thus the susceptible feelings of the Chinese government be spared. The whole controversy suggests the question whether it is worth while to go through all the mock heroics of diplomatic intercourse with a government whose subjects we treat as men of an inferior race and civilization.

RICHMOND MAYO SMITH.

Report of the Committee on General Laws on the Investigation relative to Trusts. Senate Documents, No. 50. Albany, 1888. — 689 pp.

Report of the Committee on Manufactures, House of Representatives of the United States, in relation to Trusts, etc. Fiftieth Congress, First Session, House Report, No. 3112. Washington, 1888. — 1167 pp.

Report of the Select Committee appointed to investigate and report upon alleged Combinations in Trade, Manufactures and Insurance in Canada. Second Session, Sixth Parliament. Ottawa, 1888. — 750 pp.

Aroused to some sort of action by the newspaper agitation against alleged combinations and "trusts," many of the legislative bodies in America, at their sessions of 1888, appointed committees for the purpose of examining the internal structure of these associations and their effects upon the community; these committees having the usual powers of compelling the attendance of witnesses and their testimony upon

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oath, and of sending for papers. Before us, in three large volumes, are embodied the results of the labors of three of these committees, in short reports and voluminous testimony.

The committee of the New York Senate was called into existence by a resolution passed February 16, 1888, and was in session nine days, beginning with the 20th of February. During that period it examined thirty-eight witnesses relative to the sugar, milk, rubber, envelope, elevator, oil-cloth, standard oil, butchers, glass, cotton-seed oil, and furniture combinations or trusts. The committee entered upon its work with avowed hostility to the alleged combinations it investigated and, meaning well, appointed two well-known attorneys to conduct the examination of witnesses. This was a measure to be regretted, for the efforts of the examiners seemed not so much directed towards extracting useful and pertinent information as towards convicting the organizers and members of these combinations of criminal conspiracy. Much of the very brief time of this committee was taken up by wrangles among lawyers, and the witnesses were restrained from imparting full information because of the necessity of giving categorical answers. But despite the many shortcomings, the investigation resulted in much important information. It was a means of bringing to light those ingenious legal instruments, the trust deeds or agreements, the bases of the trusts.

It will be noticed, in comparing the deeds of the sugar trust and the standard oil trust, that in the former the agreement appears to be between the corporations and partnerships, while in the latter it is expressly stated, in section 1, subdivisions 1, 2, 3, that the agreement is between the *individual* stockholders and members of certain corporations and partnerships.[1] This latter method seems much the better in avoiding the application of legal principles, stretched beyond a natural construction.[2]

Most of the combinations examined into were trade associations, organized for the purpose of preventing unlimited and destructive competition and overproduction; and all seem to tend, in structure, towards a concentration of control, as being the means most likely to accomplish this purpose. They differ in manner of formation, as the ideas of the organizers or the needs of the particular combination suggested. As to the reasons leading to their inauguration, all of the persons interested in these combinations claimed, on their examination: (1) that their business, owing to ruinous competition, was unprofitable; in fact, that it was being conducted at an annually increasing loss;

[1] N.Y. Senate Report, p. 455.

[2] *Vide* Decision by Barrett, J., in People *vs.* N.R. Sugar Ref. Co. Supreme Court N.Y. January, 1889.

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(2) that the maintenance of a uniform minimum price, consistent with reasonable profits, was absolutely necessary; (3) that this could be accomplished only by means of binding agreements not to undersell or produce above the market demand; (4) that the best agreements were in the nature of associations, as in the milk exchange, *etc.*, and that in some instances (where *trusts* were formed), these binding agreements had to be accomplished otherwise than by executory contracts or loosely united associations, owing to peculiar conditions.

The New York Senate committee, however, in its report, sees no good whatsoever in any of these combinations and denounces in violent terms the purposes which led to their inception.

The Congressional (House) committee conducted its investigation on different lines. It examined witnesses relative only to the sugar trust and standard oil trust, and paid more attention to the effect of these combinations on trade than to the methods of formation. In the examination of witnesses as to the effect of the sugar trust upon trade, it was plainly brought out that the trust now practically fixes the prices at which both raw sugar is bought and refined sugar sold; although, were the customs duties on refined sugar removed, its control over the selling price of refined sugar would be practically *nil*.[1]

The major part of the labors of the House committee was directed towards the standard oil trust, and the investigation turned especially upon the unfair and unjust discrimination made by the various railway companies in its favor. The testimony concerning the attitude of railway officials towards refiners, independent of the trust, is instructive in showing their utter disregard of all the ethics of trade. The conduct of the standard oil trust towards the few independent refiners left is thoroughly investigated and does not present that combination in a very favorable light.

The combinations in trade and manufactures in Canada, as shown by the blue book, are in no instance so thorough in organization or so efficient in results as similar associations in the United States. They are all in the nature of associations fixing a minimum price, below which members are not allowed to sell, and dictating to producers as to the rate at which outsiders shall be supplied with goods, this rate often being prohibitive. Many witnesses were interrogated; and we note the fact that nearly all the witnesses hostile to these combinations had been members, and had withdrawn for the purpose of underselling them and utilizing the public feeling against them, or had been expelled or excluded for sufficient reasons.

Summing up the testimony given before these various committees, we

[1] Testimony of Hugh O. Camp, House Committee Report, pp. 77, 78.

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may say that most, if not all, of these combinations became absolutely necessary by reason of continued and ruinous competition, pushed to such a degree that profits were impossible; and that, while they may enhance prices to the consumer, they are not so injurious to trade as free and unrestrained competition, which is "a war of all against all and ends in the destruction of the greatest number." The consumer may benefit, for a period, by extremely low prices, long credit and other inducements offered to purchasers, but when the destructive competitive war ceases he suffers to a greater extent than he benefited before.

NORBERT HEINSHEIMER.

The County Councillor's Guide. Edited by HENRY HOBHOUSE, M.P., and E. L. FANSHAWE, Barristers at Law. London, W. Maxwell & Son, 1888. — xxx, 294 pp.

The County Council Compendium. By HENRY STEPHEN, Barrister at Law, and HORACE E. MILLER, LL.B., Barrister at Law. London, Waterlow & Sons, Limited, 1888. — xxiii, 414 pp.

The Councillor's Handbook. By NICHOLAS HERBERT and A. F. JENKIN, B.A., Barrister at Law. London, Hadden, Best & Co., 1888. — 435 pp.

One of the immediate effects of the Local Government act of last year (which was commented upon in the POLITICAL SCIENCE QUARTERLY for June, 1888) has been the publication of a great number of commentaries on this most important law. The purpose of these commentaries is, in the main, to explain the duties of the new authorities created by the act and to give the text as well of the Local Government act itself as of various other statutes which modify or develop its details. Of these publications the books above cited are the most important. Though all of them have the same purpose in view, they differ in the manner of presenting the subject. Each has points of excellence which are not to be found in the others.

The *Guide* contents itself, in the main, with printing the text of the Local Government act, with a running commentary upon it, containing, in addition to the necessary explanations, references to the various statutes which modify or carry out its provisions. In addition to the text of the Local Government act are to be found also the text of the County Electors act, and important sections of the Municipal Corporations act of 1882 and the Public Health act of 1875 — all of them statutes having great influence on the local government system, and all treated in the same way as the Local Government act. This method of

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treatment, though valuable for purposes of reference, is of little use to the foreign student of the English system of county government. To offset this disadvantage, the authors have prefaced the text of these acts with an epitome of the reform, which is, however, quite inadequate for the scientific presentation of the subject. This is especially to be regretted because the authors are exceptionally well qualified for a much more pretentious work than that which they have done, one being a member of the House of Commons which passed the new act, the other having assisted in the preparation of the bill on which it was founded.

The *Compendium* and the *Handbook* are written in quite a different way. Their authors have, it is true, printed in full the texts of the important acts governing the subject of county government, but these are placed in appendices. In the body of their books they have endeavored to treat their subject in a really scientific manner, though in the *Handbook* are to be found occasional relapses into that alphabetic enumeration of details which seems so dear to the English writers on local government, but which so detracts from the interest of almost all existing books on the subject. In each of these manuals we find a general sketch of the conditions existing before the reform, a description of the earlier attempts at reform, and an analysis of the probable effects of the reform on particular branches of English local administration. Separate chapters are also devoted to the organization of the new county council, to its powers and duties, and to county finances. The *Handbook* contains, further, a chapter on the proceedings of the first county council, which, though of undoubted value to those Englishmen who will aid in applying the new law for the first time, is of comparatively little use to the American student.

The *Compendium* contains, in addition to the matter common both to it and to the *Handbook*, a chapter on the present position of the metropolis of London which will be of interest to every one who desires to acquaint himself with the modifications that have been made in the form of government of the greatest city of the world — modifications which have been greatly needed, which have been long in coming, but which the present administration has been able to bring about with an almost phenomenal ease. The *Compendium* contains also a chapter on the district councils, which were provided by the original bill, but which press of time prevented the Parliament from considering at all. Of course this chapter consists necessarily of surmises and prognostications based on the provisions of the original bill; but as the next step in the reform movement — which, it may be added, must be taken very soon — will be the formation of some council to perform the duties of the many authorities below the county council, an indication of the probable

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solution of the question cannot fail to interest the foreign observers of English political and administrative development.

While the *Compendium* and the *Handbook* are both to be preferred to the *Guide* for the use of American students, it is with little or no hesitation that I recommend the *Handbook* as the better of these two. But each supplements the other, and the two together give about all the information at present attainable on this, the last — and, it may be added, the most important — of England's attempts to bring her system of local administration into accord with modern conditions.

FRANK J. GOODNOW.

Handbuch des Völkerrechts. Herausgegeben von Dr. FRANZ VON HOLTZENDORFF. Bde. II, III. Hamburg, J. F. Richter, 1887, 1888. — 8vo, 671, 797 pp.

Introduction au Droit de Gens. Par FRANZ DE HOLTZENDORFF et ALPHONSE RIVIER. Édition française. Hamburg, Verlagsanstalt A.-G. (vormals J. F. Richter), 1889. — 8vo, 524 pp.

The first, or introductory, volume of this work — a French edition of which has just appeared — was reviewed in the June number for 1886 of the POLITICAL SCIENCE QUARTERLY, and by its scientific and philosophic tone raised expectations that are hardly satisfied by the second and third volumes, which deal with the subject of international law proper. Each subdivision (*Stück*) is in the nature of an essay from the pen of such prominent publicists as Drs. Geffcken, Stoerk, Gareis, Geszner, Caratheodory, Melle, Dambach, Meili, Bulmerincq, Lammasch and Dr. Holtzendorff himself; and in many respects, especially on the matters touching consular and commercial regulations, there is found in this work a fuller and more thorough presentation of the matter than in any other treatise. Nevertheless, in more than one important instance, the present volumes fall short of the scientific and philosophic standard raised by the first volume.

In the first place, the section on the present diplomatic status of the papacy, by Dr. Geffcken, is not only in opposition to accepted principles of international law, but it seems even out of keeping with the tenor of the subdivision on the origin and attributes of the state from the pen of Dr. Holtzendorff — a subdivision of which that section forms part. After considering the papacy historically as a diplomatic entity, analyzing with keenness its present status as established by the domestic enactment of the Italian government known as the "law of guaranty," and describing with clearness and vigor the resulting and existing conflict

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between the Vatican and the Quirinal, the writer makes the astounding statement that there is no other solution of the question than that offered by the said law of guaranty. Nevertheless, the law of guaranty is a derogation of the sovereignty of the Italian kingdom, and was but a compromise between the dignity and the safety of the young Italian national unity. It may be, and probably at this moment is, a requirement of the diplomacy of the German Empire to seem to favor the status created by the law of guaranty, but the thought that a focus of hostility at the very heart of a nation can be a permanent institution, or that a nation can long exist with an impaired and divided sovereignty is contrary to the philosophy of history and repulsive to the science of international jurisprudence.

No less defective is the reasoning of Dr. Caratheodory, in the subdivision on the laws regarding fluvial navigation, when he touches on the labors of the Berlin Conference on the East African question and declares that the principles of international law which should rule fluvial navigation were by that conference powerfully promoted and firmly established. The reverse of this is true. Prince Bismarck was but partially successful in the objects he had in view in convoking the Berlin Conference. He succeeded in opening to Germany the Congo and the Niger; but not only did he fail to obtain from the conference a declaration on fluvial navigation taking higher and more advanced ground than that enunciated at the Congress of Vienna, but the conference refused to utter a single general principle of international law touching this question, and insisted upon expressing itself upon the special cases of the Congo and the Niger only. In fact, important in the history of Germany as was the Berlin Conference, yet, so far from having received new impetus or becoming more firmly settled, the rules of international law on fluvial navigation emerged from that conference sadly shaken, and the generous utterances of the Congress of Vienna received thereby no slight set-back.

The statement of Dr. Caratheodory may be pleasing to the eyes of the powers that be in Germany, and the unsound opinion of Dr. Geffcken touching the outcome of the friction between the Vatican and the Quirinal may voice the present interests of his country; the one and the other, especially the latter, may have the historic merit of reflecting the present aspirations and views of the German government on questions of deep international importance; but they can hardly add to the philosophic or scientific merit of the work in which they appear.

DANIEL DE LEON.

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